

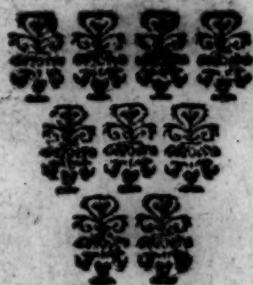
Mr. D O D W E L L's *K*

CASE in VIEW

Thoroughly Consider'd.

O R,

The CASE of *Lay-Deprivations* and
Independency of the Church (in
Spirituals) set in a true Light.



By a Presbyter of the Church of *England*.

Printed at *London*.

Mr. DODWELL

CASE IN VIEW

Through the Court

OR

The CASE of the Dissenters and
Independents of the Church (in
Spain) and the English



By a Publisher of the Church of England

Printed in London

A
REVIEW

O F
Mr. DODWELL'S
CASE in View.

Wherein his **ARGUMENTS** are
consider'd in order as they lie.

ALL that I attempt herein, is only
this ; that a real Schism, wherever
it happens, never was, nor can be
closed on his new Principles. And
here I desire the Reader to take notice, that
when Mr. *Dodwell* speaks of the Regnant
Church, my Answers move to him, only on
a Supposition if they had been guilty of Schism,
or Herefy, as he affirm'd.

B

Mr. Dod.

Mr. *Dodwell* in several places of his *Writings* has asserted, that *Consecrations in Schism are void and null*; that *the Spirit of Grace and of Government is lost by Schism, but nothing given*; that Bishops so ordain'd, *are not Secundi, but Nulli, &c.* And in page the 29th of this Book he says; "The first Donation exhausted the whole Power of the Donors, and left nothing to be convey'd by the second, because the Donors have no more to give till a new Vacancy. And p. 30. "The Nature of the Constitution requires that the whole Power be convey'd, if any thing be convey'd at all. By which, I think, he intimates, nothing *at all* is given, when District Power is not, (And so far he is right, as to any intrinsic Power in Schism, but not as to the external Form without that, which is certainly given in Schism by a schismatical Bishop. Besides, out of Schism the Power at large may be given by the Church, (as it was to the Apostles, or to a Coadjutor) and thereby Diocesan Power over vacant Sees, when not inthron'd in any particular Diocese.)

Yet the Tenour of his Discourse here implies, that so much is given in Schism, as to need no Addition or farther Qualification, but only the Death of the dispossessed Rivals, to make his *Nulli* even *rightful Diocesan Bishops*; and

and his *Nothing convey'd*, to become right *valid Power*.

Both which seem Extremes, and therefore most likely to be both wrong.

I shall endeavour to keep the medium; and in order to be better understood, I shall first offer some plain Distinctions.

A lawful Bishop has now a twofold Power given him, and that by two distinct Acts of the Church, tho' mostly at the same time. A Power at large over the whole Catholick Church, as Member of the Episcopal College; and a peculiar District Power over a particular Flock. By a valid Consecration alone, is given the true Character and Power of a Bishop at large, especially to share in the Right over all Vacancies; and by the Consent of the three Ordainers in behalf of the Provincial College of Bishops, together with Inthroning in their Name, is given the Authority over a particular District. For from the Consent of the College of Bishops he has that Authority in Spirituals, not from the King's Nomination, and Dean and Chapter's Election: both which also proceed originally from the College of Bishops: yet both these without them can give no Right or Authority at all in Spirituals; nor they without the King in Temporals; for the King (or Queen) originally has a Right in

himself to endow with the Temporals only ; as they have with the Spirituals only ; and therefore they act both together, according to the Concordate between the Church and the State : And as the King without them *in Synod* cannot depose from the *Spiritual Authority* ; so they without him cannot depose from the Temporal. Now that these Acts of the Episcopal College (*viz.* of consecrating, and investing with District-Authority) are distinct, appears from their being sometimes more distant and separate from one another ; as when a Bishop is remov'd from his own to another See ; over which he must derive the Spiritual District-Authority from the College of Bishops ; which is then given him by their Consent at this Investiture without any new Consecration.

All Catholick Bishops, of what Denomination soever, have by Consecration the same Power at large given them ; so that every Orthodox Bishop in a Province, has thereby an equal Right and Authority over a vacant See ; till by quitting each his own over it by his Consent, they all lodge it in one, by those that elect and invest in the Name of the whole Catholick College of Bishops. (Thus they at first appropriated a whole Province, only for Life and on Conditions.) Which Authority he may again forfeit and lose to them, by
breaking

breaking the Conditions of the Law on which he receiv'd it, and by which alone he held it, and continued a Right to it. Whether he is guilty, they are the judge; but the Law exacts the Penalty; which they cannot dispense with, but may acquit upon Repentance only.

The Investiture of a Bishop with a See, may be taken in a twofold Sense; either for his Nomination and Election by the Consent of the Episcopal College, by which he has a Right to such a See, or for the bare Formality of inthroning him afterward in that See, (being the same as formally putting a Man in Possession of a House after it is legally given him,) which Possession of the Episcopal Throne he may happen to have without the former, the legal Right or spiritual Authority. As a King is King, and has a Right to his Throne and Crown before he is crown'd; or an illegal Usurper may be formally inthron'd and crown'd without that Right; so may a Vicar be illegally inducted into a Parish Church without the Licence and Institution of the rightful Bishop, and thereby be destitute of all Right and spiritual Authority there, till he has it from him. But there seems to be no need of a new formal Induction into the Possession of such Church, when the rightful Bishop shall give him Institution, or but sign his former.

2ly We deny not but that the empty Title of a Bishop, or the invalid external Form of Consecration, is given in Schism; so that a Confirmation thereof by the Orthodox Catholick Church is sufficient, without a Reiteration of that external Form of Ordination: as an Usurper's invalid *null* Law may be given in a right Form, and that same Form afterward made truly valid, only by the Consent and Authority of the rightful Prince, and his Parliament: without which, it can never have any Validity or Force at all. And so in Schism, no Validity or Power at all is given to any one in Spirituals, over any Catholick Subjects by Investiture, tho' the See be vacant; because he is out of their Communion; (who are under the Catholick Episcopal College as their Principle of Unity, till they delegate one over them:) nor can his pretended Power at large extend over any in the true Catholick Communion, till the Catholick Bishops readmit him thereto, and by their Consent ratifie the external invalid Form, and thereby add the legal valid Power; which cannot be deriv'd from any Schismatical Bishops, but only from the Catholick, according to the eighth Canon of the first Council of *Nice*, decreed with great reason; for certainly no Bishop can have any Authority over any Subjects of the true Communion, but from the Bishops of that Communion;

munion; if there are any Catholick Bishops to derive it. Nor can a Diocesan that laps'd into Schism, and thereby lost his Power in the Catholick Communion, have any Authority over the Catholick Subjects; till by his own Act he returns to the Unity of the supreme Authority, the Catholick Episcopacy, and by a Re-union upon agreement with it, again becomes a Bishop thereof; and from the Bishops of it regains his former District Authority, if his See be vacant; or else over some other that is. For tho' the Civil Sovereign's Authority over the Subjects can never be lost, because he is the Civil Supreme Authority; yet all own a Bishop's over his Flock may, at least, during his Schism. And having once lost it, he can never recover it, but from the Spiritual Supreme Authority, the Catholick Episcopacy, or Orthodox College, who alone must wholly have it, and had it in Possession whilst he lost it and they not restor'd it.

Thus a Catholick Bishop lapsing into Popery, or a Popish Bishop in *Ireland*, whatever Authority he may have over the Subjects of the other Communion; because he is not of it, nor a Member of that College. But if a Popish Bishop by his Schismatical Consecration, receiv'd the intrinsic Validity of Episcopal Orders, as well as the external Form, he must be a Catholick Bishop and a Member of

the Catholick College; but if he is not, he has not that intrinsick Validity; for he that is not a Member of the true Episcopacy, can have no share of its intrinsick valid Power; but must need an Addition thereof from the one true Catholick Episcopacy, whose Unity and Communion he has lost. And till that is done, he can give or hand down no more than he has himself, viz. only the empty external Form, capable of the Church's Ratification upon a voluntary Return unto her. For whatsoever bare external Form may be granted to be given in Schism, or to remain with a lapsing Bishop; yet it is a mere nothing with respect to the true Communion, without their Confirmation; since he that is not so much as a Member of a Communion, can never be a Governour in it, before he returns from his Heresy and Schism into it, and gains a valid Power from their Consent, at least, who still preserv'd it. Till then, any foreign Catholick Bishop, who has kept his *Depositum*, and thereby has the Charge of the Universal Church as well as of his own District, has more Right over the Catholick Subjects than he; if they are destitute of a Catholick Pastor of their own Communion, in their own Country; (as a Protestant Bishop in *England* would have over the Protestant Subjects in *Ireland*, if there was no Protestant Bishop there;) and

and consequently such foreign Catholick Bishops have Power to Constitute new Bishops, or Readmit and Confirm the old ones, upon a Repentance of the Schism; I say, upon a Repentance; lest, instead of absolving, themselves become guilty, and partakers of other Mens Sins, by offering to admit such to Catholick Communion.

Case in View, p. 4. (Id. p. 6.) In a Case, wherein there is no dispossest'd Rival that can pretend a better Title than the Possessor, I think all equal Rules of judging from the Nature of the spiritual Society, or the allow'd Practices of the Church, will oblige us to give Sentence in favour of actual Possessors.

Ans. Yes, if they be *lawful Possessors* of the Spirituals, as well as *actual Possessors* of the Temporals: but if not, then the Catholick Church, the College of Orthodox Bishops, to whom every See devolves upon the Vacancy, has a better and the only Title to the Spirituals, till they legally dispose of it; and so long they are the Rival to an Usurper, as the uncanonically depriv'd Bishop was before. If he means such as had no Canonical Investiture; I ask, which way came they to have that which was not legally given them? for what is not legally a Man's own, is not his. And how come Intruders to be Possessors of the Spirituals over the
Ca-

Catholick Subjects, without the Consent of the Catholick Bishops? This never was *the allow'd Practice of the Church*, as Mr. Dod. very well knew; nor could he bring one Instance thereof.

C. p. 4. It is the Interest of all Societies to allow Possession it self a better Claim than any else can have who has no better Claim than the Possessor himself antecedently to his Possession.

A. Here he seems to take Possession of the Spirituals for granted, which ought first to be prov'd. Besides, is it the Interest of all Societies to suffer themselves to be robb'd of their legal Right, of Electing and Investing by Usurpation? The Orthodox College of Bishops have a better Claim to every Vacancy immediately upon its being so, than any Intruder can have; and that antecedently to his pretended Possession: for the Possession is theirs in Reversion, *i. e.* Reverts to them upon the Death of the rightful Incumbent. Which Possession therefore of the Spirituals, 'tis impossible for him to have, but from them.

C. p. 4. This is the Interest of Societies in general, without which it is impossible that Disputes of Right, depending on disputable Facts, beyond the memory of living Witnesses, can be determin'd.

A. To what purpose is this urg'd; that therefore Possessors *mala fidei* within the memory of living Witnesses, ought to be accounted rightful Possessors?

C. p. 5. This makes it the Interest of Societies in general, that such Possessors should be continued in their Possession. And such Publick Interests must needs be Right.

A. Right! What, to encourage such Usurpations by so rewarding them, when the Publick Laws exact just Punishment for the same, especially if the Invaders persist against Law and Right in the Defence of their Invasions? *Such Possessors should be continued in their Possession!* By whom? If the Society could dispense with their Laws thus not submitted to, and could allow of such non-complying Possessors, their Right would proceed from their Allowance, in elective Successions, and not at all from the invaded unjust Possession.

C. p. 5. The repugnancy that is commonly observ'd between *utile & honestum* is not (as it is commonly understood) as if true Interest could ever be a corrupt Principle of judging. In that Case private Interest is made the Standard by unskilful Judges.

A. Our true Publick Interest is doing right, keeping close to the Laws of God and Man, and not tamely suffering them to be violated, and their Penalties to be unjustly evaded, by
own.

owning Usurpations to be rightful Possessions. Is it the true Publick Interest to let her Laws be thus eluded and subverted; or to defend them, by not yielding to such Injustice, and Invasions on her Rights, without some acknowledgment thereof from the Invaders? which is *honestum utile*. And sure Honesty is always the best Policy. If *private Interest* was not sometimes pretended to be the *Publick*; yet I am afraid our Publick *present Interest* can be, and too often is, a *corrupt Principle of judging*, and of causing publick Guilt, to the hazard of our *future Happiness* even in this Life, as well as in the next.

C. p. 6. This is the true ground of the Right of Prescription, as it is admitted, by the Consent of civiliz'd Nations, for a Law of Nations.

A. Prescription never allows a Possession to be right, but on supposition the Possessor had Right some other way; of which a long Possession beyond the memory of Man, is thought the best Evidence: otherwise Prescription has nothing to do against Right. Prescription cannot be pretended in elective Successions, where the Electors have always the Right of choosing, and their Claim must be always within the memory of Man. In which Case usurp'd Possession is bound to give way to Right by the Law of all civiliz'd Nations.

C. p. 6, 7.

C. p. 6, 7. And the Right of this Topick is not only own'd, but pleaded by *Jeptha* against the *Ammonites*. The Words are very remarkable to this purpose: *While Israel dwelt in Heshbon, and in all the Cities that be along the Coast of Arnon, three hundred Years. Why therefore did ye not recover them within that time? He thence infers this Consequence: Wherefore I have not sinned against thee, but thou dost me wrong to war against me. The Lord be judge this day between the Children of Israel, and the Children of Ammon, Judg. 11. 26, 27.* He admits of this Claim of an uncontroverted Possession, as so just a Plea of Right, as to make the Possessors guilty of no Sin, and the original Proprietors guilty of doing wrong, if they prosecuted their Claim after so decisive a Prescription.

A. *The original Proprietors guilty of doing wrong!* But how did Mr. D. know that the *Ammonites* were the original Proprietors? Had the *Israelites* known that, Prescription could never have justified them in detaining their Right, unless the Lord of all the Earth had given it them; which he did do, and most probably not from the *Ammonites* but from the *Amorites*: so that from God they had the Right, and not from Prescription; as appears plainly from *Judg. 11. 21, 22, 23, 24.* *And the Lord God of Israel delivered Sihon and all his People into the hand of Israel:*

Israel: so Israel possessed all the Land of the Amorites. And they possessed all the Coasts of the Amorites, from Arnon even unto Jabbok, and from the Wilderness even unto Jordan. So now the Lord God of Israel hath dispossess'd the Amorites from before his People Israel, and shouldest thou possess it? Wilt thou not possess that which Chemosh thy God giveth thee to possess? So whomsoever the Lord our God shall drive out from before us, them will we possess. Here, I think, 'tis plain that their Right of Possession was from God, not from Prescription; which was only an Argument of their Right from him; and pleaded only as such by *Jephtha*.

C. p. 14. Seeing Prescription is allow'd among Men, to be sufficient to make a Title in Possession good, tho' it had not been so originally.

A. But if Men could know by any Testimonies, that it was *not so originally*; Prescription would not be allow'd to make a bad Title good. All that Prescription does in this Case, is this; when Possession has been continued time out of mind, and no living Witnesses can testify how the Possessor came by it; the uncontested Possession for so long time, gives a Presumption that he came rightfully by it. Prescription does not give it, but supposes some other Man did, that had Right to give it. Prescription can never make a bad Title good; nor does

does it ever pretend to it; only presumes it is good.

C. p. 14. Contents — They who are alone in Possession of an Office (without Rivals) — are, for that reason, to be presum'd as design'd for that Office by God himself.

A. But first, how can any one come really into the Possession of an Ecclesiastical Office without the Consent of the unschismatical, Catholick Church? *Design'd by God!* What, by an unjust pretended Possession only? I thought none were presum'd as design'd by him, but such as are duly Elected, Consecrated and Invested, by those whom he has authoriz'd to Elect, Consecrate and Invest them; (by whom alone God himself derives a Divine Power to them from himself, and so Invests them with his own Authority.) If so, Intruders cannot be in the Possession of the Spirituals, but by those that have a Right to Consecrate and Invest them, (which none have in Schism.)

2ly. They therefore that have the Right of Consecrating and Investing, are their Rivals; they only have the Possession of the Supreme Authority, and of vacant Altars, till they rightly dispose of them; for they only can give them to others; or make others Partakers of the Supreme Authority in the Episcopal College over the whole Provincial Church. Thus the true Succession is continued; and thus

God

“ God ascertains the *Persons* to whom the *Sub-*
 “ *jects* are oblig’d to pay their *Duty*. To whom
 “ the *Duties* of the *Spiritual Society* are to be
 “ paid as to God himself, that *Undutifulness*
 “ may be interpreted as a *Rebellion* against
 “ God and his *Anointed*, (p. 17, 18.)

C. p. 18. *St. Cyprian* takes it for a great Ab-
 surdity, to doubt whether any Bishop, who
 was alone in Possession, did derive his Autho-
 rity from God.

A. *Any Bishop!* whether truly Invested with
 Spiritual Power, or not; whether he was He-
 retick or Schismatick, or not? ‘Tis plain *St.*
Cyprian means only an Orthodox Bishop, right-
 ly and canonically put into Possession: other-
 wise no one was more against an usurping Pos-
 sessor than he, calling him *no Bishop*. And the
 Catholick Bishops never, I say, never regard-
 ed any of the Donatists or Novatians being a-
 lone in Possession, before they ratified their
 Title with their Authority after Reconcilia-
 tion.

C. p. 18, 19. The Apostle reasons the same
 way, concerning the Secular Powers, that
 they also are from God, on that very account,
 because they are the *ἐκτα ἐξουσία*. *Rom. 13. 1.*
 And very truly, when there is no dispossest’d
 Power that can pretend no better Title.

A. *The true Powers that be, are ordain’d of*
God; and so are from God: but Usurpers are
 without

without true Power, having not receiv'd it in the way God has appointed; and therefore cannot be *ordain'd of God*, nor consequently be the *ἡγούμενος*.

But in Elective Kingdoms, I hope, an Usurper is not *from God*, *very truly*; till duly Elect'd by those that have a Right to Elect. Can usurp'd Possession rob them of their Right of Electing? and consequently can such a pretended Possessor, without them, possibly have any himself; tho' there be no dispossess'd King living that can pretend *a better Title*? He whom they shall Elect will have *a better*. And the Orthodox College of Bishops have always *a better Title* to a vacant See than any Intruder; till they Confirm his, or Invest another; and then that other has *a better Title* than the Intruder to the Spirituals. Thus the Primitive Church always thought and acted.

C. p. 19. In such a Case the Law of Nations owns a Right in the actual Possessors; and as that actual Possession gives a Right; so that Right must be believ'd to be from God.

A. The Law of Nations does not *own a Right* in the usurping actual Possessors, where any have a Right to Elect; for the lawful Electors have certainly a Right to refuse and oppose them; and consequently the unjust actual Possession cannot

cannot give a Right; much less can it be from God. Actual Possession unjustly obtain'd, in such a Case, cannot give a Right but to the just Punishment of the Usurpation.

In an Elective Kingdom having an Usurper; after the Death of the rightful Prince, the Electors have Power to chuse the usurping Possessor, or any other Man; for till then, he has no Right by Possession: his Usurpation only robs first the Prince of his Possession, and next the Electors of their Choice; but still the Right is in the one to possess, and afterward in the others to Elect, notwithstanding his pretended Possession. From them alone he can have Right, and also at such time only, as they have Power by Law to give it; and in such manner too, as the Law prescribes. And as he cannot have it from them but at the right time, and in legal manner; much less by Possession only. He must therefore be chosen according to Law, or else he has no legal Right, *i.e.* no Right at all: tho' most of the Electors did assist him in his Usurpation; that Act was Rebellion, not Election; and so far from having any Validity by Law, that it is punishable with Death for being against Law. And if that rebellious Act does forfeit their Heads and Estates, and consequently all Right of Electing; the Power of Choosing must rest in the loyal Electors: the Usurpers pretended

ded Possession cannot hinder that; the Right is still in them to Choose, as much as in an injur'd Heir to Possess in an Hereditary Kingdom.

C. p. 19. All things concerning Mankind, fall out as well by the Design, as the Permission of Providence.

A. Do unjust Usurpations fall out by the Design of Providence; that by the Iniquity thereof Men may become lawful Possessors?

C. p. 20. God is, in a peculiar way, and more immediately, the Governour of his *Peculium* than of any other Body. And what is transacted in the Government of it, does more immediately concern his Person, that it may oblige him to ratify it in Heaven. This therefore obliges him to hinder any from thus acting in his Name, whose Acts he would not be oblig'd to ratify.

A. God is not so immediately the Governour of his *Peculium*, but that he has Stewards and Governours thereof under him on Earth; and by them he does hinder others from any Right of acting in the Church, by their refusing them her Communion, and to invest them with the Church's legal Authority. Thus he hinders them, by empowering his Church to refuse them; and then also, in pursuance of her Acts, the Civil Magistrate to restrain and suppress them. The Acts therefore of such

however God cannot be oblig'd to ratifie : No, nor the unjust Acts of *his own Peculium* ; nor otherwise to hinder them, than by his Precepts and his Vicegerents ; as he did not the *Jews* from Idolatry and Unbelief ; who revolted from him, and were cast off by him.

C. p. 21. And it being in God's Power to hinder him, if he pleas'd ; his not interposing where he is so much concern'd to interpose, is an Argument, not of Permission only, but of a Design, and positive Approbation of the possessing Person.

A. If by God's Power to hinder him, and his not interposing, he means as an immediate Governour, as in his 20th p. We may, at this rate, father all the unjust Possessions, Heresies and Schisms, &c. in the Church, upon God's Design and Approbation ; because he does not hinder them. This is a natural Inference from what he asserts ; and sure Mr. D. did not consider, how near this comes to Blasphemy.

This Notion of District-Possession ; as if there never was any Bishop but a District-Possessor, has led him into many Errors, even to “ striking the Authority of Bishops out of the “ Scriptures, in his *Latin* Apology, and “ making the Order to begin but about twenty Years sooner than *Blondel* had fix'd it ; (as the Bishop of *Sarum* charg'd him in his Letter

Letter to him.) And this because Dioceses did so.

No doubt but Christ gave the Order of Bishops to his Apostles, and that they truly were no less than others could be made: that they convey'd the Order of Bishops to others, tho' others were Consecrated, like the Apostles, *ad Ministerium vagum*: for how could any have the Power of founding that Order and Consecrating Bishops, if they deriv'd it not from the Apostles? "If the Supreme [Officers] fail, none can supply that but the original Founder of the Constitution: This is especially certain in a Power deriv'd from God, which no humane Authority can renew, unless it receive a new Authority from God to do so, and this is the Case of Episcopacy, (*C. in V. p. 22.*) And tho' Mr. D. elsewhere calls St. Timothy and St. Titus *Itinerants*, i. e. not fixt to any particular District; yet 'tis plain by the consentient Opinion of the Catholic Church, that they truly were Apostolical Bishops, and by St. Paul's Epistles to them, that they were truly *Invested* with Episcopal Power. Yet 'tis certain that Dioceses were not settled by Christ, but long after him by the Church; and were alterable by the Church; and therefore, tho' it was an Ecclesiastical, yet it was a humane Constitution: as that of *Scotland* must be after many Ages before they

had Dioceses. And till then, for 800 Years,
 “ their Bishops did indifferently administrate
 “ their Functions in *all places* to which they
 “ came, as the Apostles did, and were call’d
 “ only *Scatorum Episcopi*. Neither had our
 “ Bishops any other Title whereby they were
 “ distinguished before the Days of *Mal-*
 “ *colm III.* who first divided the Country into
 “ Dioceses, &c. (*Spotswood’s Hist. Scot.* p. 4,
 29.) And as *Gerontius* rightly has it, (p. 97,
 100, 101.) “ When some Persons in a Nati-
 “ on were converted to Christianity, Bishops
 “ were made to govern those new Converts
 “ [more immediately] wheresoever dispers’d
 “ over the whole Land, (as here in *England*
 “ upon the Conversion of the *Saxons*) but not
 “ to particular Districts, neither could well
 “ be. ’Tis certain there were Churches be-
 “ fore there were Districts and Dioceses, as
 “ they are now call’d, and therefore they can-
 “ not be of the Essence of a Church, tho’ since
 “ the large Increase of Christianity, they are
 “ for the better Government thereof. Mr. D.
 tells us, “ That the Right of making Districts
 “ was a Right inseparable from the Authori-
 “ ty given by God, for making and governing
 “ Profelytes all the World over. (*Defence of*
 “ *Vind. c.* p. 77.) For the Church, says he,
 “ never acknowledg’d an unalterable Divine
 “ Obligation to observe that Rule, [of multi-
 “ plying

“ plying Bishops according to the multitude of
 “ Titles] but has always reserv’d a Power to
 “ her self of deviating in such Cases, of which
 “ she might be satisfied that they were suffi-
 “ ciently momentous. [But had it been of Di-
 “ vine Institution, she could not have had that
 “ Power.] And, 2^{ly}. She has in such Cases
 “ actually taken the liberty of exerting her
 “ own Power, as in those Nations which had
 “ but one Bishop, tho’ many Cities. (*D’s. Ans.*
to Baxter, p. 107.) “ Whole Nations were
 “ sometimes govern’d by one only, as the
 “ *Goths* by *Ulphilas*, and the *Indians* by *Æde-*
 “ *sus*, the *Arabians* by *Moses*. (*1st Letter to*
Baxter, p. 107.) “ The *Abyssines* have but one
 “ Bishop; *Collier’s Eccl. Hist.*

C. p. 21. Contents. When there is but one
 Bishop in a District, we cannot justify our con-
 tinuing our Separation from him.

A True, if he be a Catholick Bishop; right-
 ly in Possession of the Spirituals, and in Unity
 with the Episcopal College; but not if he is
 only a Schismatical or Heretical Revolter from
 Catholick Unity and Communion. The Ca-
 tholick Church can never require me to for-
 sake her Communion to follow him. “ Epis-
 “ copal Authority can signifie nothing, till it
 “ be first resolv’d, whether the Bishops [once]
 “ invested with it be [now] themselves of the
 “ true Communion, and that no Catholick

“ ever believ’d any Obedience due to Heretical
 “ and Schismatical Bishops. (*Mr D’s Letter to
 the Bishop of Gloucester.*) ’Tis strange he should
 now insist so much on a District Bishop only,
 who of himself never is the Supreme Authority;
 no, not over those of his Diocese, but
 as he acts there in behalf of the whole Episcopal
 College by their Authority. So that by
 giving too much to a single District-Bishop,
 (especially an Heretick or impenitent Schismatic)
 he lessens the Supreme Authority of the
 Episcopal College, to whom a Diocesan is ac-
 countable. For tho’ by his Power at large
 given by Consecration, he is every way equal
 to any one of his Colleagues in Synod, not to
 all, nor a just Majority, (tho’ he may be to an
 unjust;) yet consider’d purely as a Diocesan in
 his limited Capacity, he is to the Supreme
 Authority the Catholick College of Bishops, as
 the Lord High Chancellour, or any Magistrate
 for Life, is to the Civil Sovereign and no
 more.

Our Saviour Consecrated his Apostles all
 together with one Breath as one, as an united
 Senate to rule his Church with undivided
 Authority, changing the Monarchical high
 Priesthood into an Aristocratical Sanhedrim
 of High Priests, and reserving the Monarchy
 still to himself; *Lo! I am with you alway, even
 unto the end of the World,* (Mat. 28. 20.) so that
 what

what each singly acted, he did it by the joint Authority of all the Senate, which our Lord gave them only to be jointly possess'd in Unity by all ; who therefore jointly were the Supreme Authority ; not one singly so, but as he acted by the consentient Authority of all, which is but one in all. Whoever therefore by Schism or Herefy divides himself from that Unity, from the rest of the Catholick united College of Bishops, so long can have none of that Authority left in himself, but all in them alone, because it cannot be divided, tho' it may extend to many united ; but whether it be in many or few, it is no more nor no less, but still one and the same. This Supreme Order of Apostles or Bishops being High-Priests, Christ certainly left in his Church with Power to continue it, to give out Commissions as large as their own, and by consequence to give less large, as to Priests and Deacons, as the Necessities of the Church should afterward require. Which inferiour Offices must therefore be of Divine Institution, as they were included in that Instituted by Christ, his Apostles being not only made Bishops by him, but also Priests and Deacons at the same time, *i. e.* Commission'd to perform the Office of the two latter, (where they thought meet) as well as of the former.

As

As our Saviour alone was the visible Head of all the Christian Church on Earth, so, the Church being but one, and capable of but one Head, tho' to represent him here, he made many the Head, yet he did not make many Heads, but only one, *viz.* all his Apostles in Conjunction as one Synod or Senate; who in that Unity as one Man were to *go into all the World and teach all Nations*, to which end they had the Gift of Tongues. And this was the true and only State in which our Lord left his Church. The fixing or settling the increasing extended Branches of this Apostleship or Episcopacy afterwards in Districts, for the more easie Government of the Church, was of humane Institution; yet still preserving that Unity of Episcopacy our Lord Instituted, and each to act only in and by that Unity; all together being still Bishops at large over all the Church, as the Apostles were, and still acted as such in Councils and Synods, yea and in all Vacancies, and in Heretical or Schismatical Bishops Sees to preserve the Faith and Church's Authority in Unity.

A Bishop's Authority does so depend on his Unity with the Episcopal College, that he has no Power to perform any Act against the legal and just Consent of that Supreme Authority the Orthodox Catholick College, but that Act of his is utterly null, as proceeding from no
Autho-

Authority in him to do it; therefore nothing can be deriv'd from him by such Act, being not deriv'd from the Collegiate Senate also by him in the Unity of the Episcopacy.

G. p. 21. If the Church, as a Society, be by God design'd perpetual, Government must be so too; for the same time the Government is dissolv'd, the Society must be so also.

A. The Catholick Church throughout the World is one Society; which would indeed be dissolv'd as a Society, if there was no Catholick Bishop in the World. But is a National Church, if her Bishops were all dead, dissolv'd from being a Member of the Catholick Church diffusive, whilst there is any true Catholick Bishop in the World, with whom they are in Communion; whose Power and Charge extends over the whole Catholick Church throughout the World, where ever there is need of his Assistance? The Government would be the same, (Episcopal) tho' not the same local Governours. *Episcopatus unus est, cujus à singulis in solidum pars tenetur*, (St. Cypr.) the Episcopacy is but one, tho' expanded into many Branches; and each, by a plenary Right, as Heir of all, shares in the whole, over the whole Catholick Church on Earth; (and also mediately or immediately shares in every vacant See,) so that the regular Acts of each are the Acts of the whole Body, (by their con-

consenting to them,) unless he is fallen off from it by Heresy or Schism, and thereby no longer has their Consent.

In Case then there are no Orthodox Catholick Bishops in a Nation, (as in *France* or *Spain*;) whether would be safest, to be within, or not within the one true Episcopacy in the Unity of the Spirit; to keep in the Society and Communion of the Catholick Church diffusive under foreign Orthodox Bishops, or to lose all Catholick Communion by joining with any guilty of Schism or Heresy? I am sure the Primitive Church thought no Obligations to a particular Incumbent, could countervail the loss of Catholick Unity and Communion. And so did Mr. *D.* think, while the depriv'd Fathers were alive.

G. p. 21. And, if this be true of any part of the Government, it must be so principally of that part which is supreme and unappealable.

A. If he means that every Diocesan Bishop is *supreme and unappealable*; yet every Diocesan Church is not dissolv'd upon the Death of the Bishop; but the College of Bishops have immediately the Government thereof. Certainly the *supreme and unappealable* part of a National Church is an Orthodox Synod; from whom they all derive these limited District Powers to which alone each can pretend. And the *unappealable* part of the whole Catholick Church, is an Orthodox general Council, and their Canons,

Canons. And for want of a general Council, I suppose we may appeal unto their Canons, from an Heretical and Schismatical Pastor to an Orthodox Catholick Bishop. Otherwise how did Mr. D. on a Supposition of *Heresy and Schism*, as himself declar'd, appeal from his Diocesan to those of other Districts, and forsook his Communion, without synodical Deprivation or formal Excommunication?

“*Martian*, the rightful Possessor of the
 “vacant See of *Arles*, without any Synod or
 “Synodical Deposition, that Antiquity gives
 “the least Suspicion of, immediately upon the
 “Notoriety of the Fact of his communicating
 “with *Novatian*, was immediately disown'd
 “by all his Catholick Collegues. (*Mr. D's*
Ans. to Bishop Still. 6 Qu. MS.) Which was
 an absolute Deprivation of Communion, and
 consequently of all Authority in it, tho' not a
 formal Excommunication or Deposition; yet
 such as made it impossible for him to recover
 the true Communion and Authority in it with-
 out their Readmission. “Nor did the Catho-
 “lick Bishops, nor the Catholick Emperors,
 “concern themselves for the Synodical Depri-
 “vation of Heretical or Schismatical Bishops,
 “after the Heresy and Schism had form'd a
 “difference in Communion. (*D. Indep. Cler-*
gy, p. 65.) “Nor did they think the substi-
 “tuting other Bishops in such Sees, without
 “a pre-

" a previous Synodical Deposition of the He-
 " retical or Schismatical Incumbent, to be li-
 " able to the Charge of Schism, as it would
 " have been in case the Incumbents had been
 " Bishops of the same Communion, [and had
 not lost their Authority without such Depo-
 sition.] (*Id. Ibid.* p. 61.) " Dioceses fill'd on-
 " ly with Heretical and Schismatical Bishops
 " that were not of the Communion, were
 " look'd on as Wastes, where any other Ca-
 " tholick Bishop might exercise his Power.
 (*D's Letter to Bishop Still.*)

As therefore the Provincial College do head
 a vacant Diocese, and at last supply them with
 a new Bishop, so may foreign Catholick Bi-
 shops head a National Church destitute of Ca-
 tholick Bishops; and in like manner supply
 them with new Bishops: as *Gregory* the Great
 an outlandish Bishop constituted *Austin* Archbi-
 shop of *Canterbury*; from whom we derive the
 Succession of our Bishops.

C. p. 22, 23. If the Supreme Officers fail,
 all Subordinates must; none can supply that
 but the original Founder of the Constitution.
 But this [continuing the Episcopal Succession]
 cannot be done, (since God has withdrawn
 the extraordinary Significations of his Plea-
 sure) otherwise than by leaving the Derivati-
 on of Succession, by nominating the Persons
 to the Prudence of the Supreme Governours
 for the time being.

A. Then

A. Then in the Donatist and Novatian Schisms the Catholick Episcopal Succession had been lost, if the *Supreme Governours*, the Catholick Bishops, had all deceas'd and Consecrated no Bishop to survive them in the Church: then indeed *all Subordinates must* (soon after) *have fail'd* in the Catholick Communion. But suppose there had been no Bishops left in *England* at the Restoration of King *Charles II.* and suppose, at that time there had been but one Catholick Bishop left in the World, besides Arians, Papists, Donatists and Novatians; could not he have renew'd our Succession here? And being *possess'd* of *all the Rights* of his own *National Church*; could not he have substituted another to succeed him in those *Rights he was possess'd* of, and thereby have preserved and continued the Orthodox Succession, and valid Episcopal Power in the Church? Nay, would he not have been oblig'd by his Depositum to do so, that the Catholick Succession and true Spiritual Power might not be lost for want of the Church's Derivation thereof?

C. p. 24. This therefore must suppose, that God approves these Rules for maintaining Personal Successions; and consequently that the Persons invested in Offices pursuant to those Rules, are as really intrusted by God, as those were formerly, who had been favoured

vour'd by miraculous and extraordinary Manifestations.

A. No doubt but they are, by the Rules of the Constitution of the Christian Church. But what are those Rules, Schismatical, null Investiture, usurp'd Possession, and Prescription, within the Memory of Man? Are not those Rules, Canonical Election and Investiture, besides valid Consecration; or Re-admission and Confirmation of those ordain'd in Schism by Imposition of Hands, or at least by the general Consent of the Catholick Bishops? Without which none can be a Bishop of the true Communion, and have Right over any Catholick Flock.

C. p. 24. It will follow also, that Possession and Prescription must be allow'd the same force here for legitimating Possessors in the Church, as in the like Successions of single Persons in Bodies wholly Secular.

A. But till the Possession of the Spirituals is legally convey'd to a Man, he cannot be said to be in the Possession thereof. And as to Prescription, it cannot be pretended within the Memory of living Witnesses; nor consequently in elective Successions; for Corporations are immortal, the Church is particularly so.

C. p. 25. Indeed I can imagine no reason to doubt of it in the Case we have in view, where

where there are none but single Possessors of Rights, of which none but single Persons are capable.

A. Whether the Schism was on that side, as he affirms in this *Case in View*, is not my business here to dispute. What I assert is, that Possession of the Episcopal Throne by Schismatical Investiture, can give no *Right* at all in Spirituals: and till a legal Authority is Canonically deriv'd to one by the Church, *the Right* must be in more than a *single Person*, viz. the Catholick College of Bishops; otherwise how can they derive that to one at Vacancy which they had not in themselves.

Let me here observe, that Bishops, which were Consecrated over the first Christian Converts in a Nation, (before there were Dioceses made,) as in *England* and *Scotland*, &c. were Consecrated only Bishops at large, (as the Apostles were) and appointed more immediately National Bishops over such Nation, not Diocesans limited in so narrow a compass as a Diocese now. Yet sure such Bishops at large ordain'd in a Nation, tho' without any Title but that of Bishop, must have all the Power of Diocesans, yea of an Archbishop too, as well as of making Dioceses, and settling Bishops in them, and an Archbishop over those; which they could not have done, if

D

they

they had not that Power in themselves as Bishops at large : For *Nil dat quod non habet*. Yea the Archbishop is himself subject to the Censure of the Synod, as Supreme over him also ; tho' out of the Synod he is, in some Cases, invested by them with Synodical Power to act instead of all.

C. p. 25. Here can be no doubt of the Person, where there is no more than one that pretends a Claim to be that Person.

A. Tho' none else *pretends to be that Person*, till he is rightly Constituted by the College of Catholick Bishops ; so neither can any Pretender be, till he is so Constituted : but the right Claim is still in the Catholick College till then.

C. p. 25. There can be no doubt of the Legitimacy of his Creation, when the Body is united in acknowledging him.

A. Well, if it be not *Legitimate* till the whole unschismatical Body is united in acknowledging him, is he not still truly an Invader and a Schismatick without Authority till then ? But the Body that should acknowledge and receive to Communion an Apostate from Catholick Unity and Communion, before he renounces his Heresy and Schism, would (as Mr. *Thorn-dyke* speaks of an excommunicate Person) murder his Soul and Christianity both at once ; and instead of acquitting him, and confirming his Title, themselves would become guilty,

On the author's own principle there was no
Authentic college after Henry's death. The
new consecration of Mr. D.D.
but was not such a thing.

guilty, and Partakers of his Crime by Contagion, (whilst they betray their Trust, of defending Truth and the Church's Rights against all impenitent Invaders,) as a Bishop that admitted to Communion one that was justly excommunicated elsewhere, was so far from hereby Absolving the guilty Person, that he actually involv'd himself in the same Sentence of Excommunication. Read the 10, 11, 12, 32, 33. Apostolical Canons. But when the Catholick Unschismatical *Body is indeed united in acknowledging him* becoming Orthodox, we may not doubt but his Authority is legitimate by that Acknowledgment, but was not so before; nor does their Acknowledgment intimate that it was, or ever would become so, by Possession or otherwise; but only by their then giving their Consent; that is, by their then giving him Authority by their Consent.

C. p. 25. At least, the Majority of those who have a Right either in his Election, or his Consecration, which (by the Right of Bodies in general) can conclude against a smaller part of contrary Suffrages.

A. The Majority of Catholick Bishops ought to conclude the less Number of their Brethren in disputable Cases. But a Majority of Schismatical or Heretical Bishops, have no Right to conclude a less Number of Catholick and Orthodox Bishops, (especially against the Canons

and Equity,) because they are fallen from Catholick Unity and Communion, and are therefore no longer of the Catholick Episcopal College, till they return themselves from whence they fell, and are readmitted into it.

“ The Catholicks never in the least regarded
 “ the Numbers of Apostates, as to any Au-
 “ thority that could accrue to them from
 “ their Numbers; they were all, in the eye
 “ of Ecclesiastical Tribunals, how numerous
 “ soever, only so many Criminals. For my
 “ purpose it is sufficient, that Apostacy from
 “ Doctrines formerly receiv’d, has been al-
 “ low’d, as a just Exception against the Au-
 “ thority of Deserters, for judging concern-
 “ ing the Cause, which has been deserted by
 “ them. (*Case in Faët*, p. 104, 105.) “ In
 “ particular National Churches, they [the
 “ *Romanists*] themselves will not deny that
 “ the greater part may prove Heretical, and
 “ therefore likely to prevail by plurality of
 “ Voices, in which Case themselves would
 “ think it unequal for the Magistrate to be
 “ sway’d by them. This has always been the
 “ Practice of the Church, and the Catholick
 “ Emperors, never to allow any Canonical
 “ Right to the Assemblies and Censures of
 “ Hereticks. (*D. Ans. to 6 Qu.* p. 119.) Be-
 “ sides, “ Reconciliation made without the
 “ [joint] Consent of the [true] Church,
 “ which

“ which had been particularly injur’d by the
 “ Separation, must be invalid, and cannot
 “ expect the Divine Ratification. (*D. Separ.*
Ch. p. 591.

C. p. 25. There can be no doubt of our
 Subjection to those Bishops whilst we are
 within their Jurisdictions, and can pretend no
 other Right in opposition to them.

A. But if they had *not been legally Invested*
with the Spiritual District-Authority, as well as
 the Temporal, or by *Heresy and Schism had lost*
it, (as Mr. *D.* has presum’d to say;) how
 would the Spiritual Jurisdiction have been
 theirs; and consequently how could we have
 been within their Jurisdictions as to Spiritu-
 als, if they had none? But barely on suppo-
 sition it had been true as he said, could there
 be *no doubt of our Subjection to Bishops* without
 Canonical Election and Investiture, or Read-
 mission and Confirmation (or the others Loss
 repair’d) by the Catholick Church? Who
 therefore *could pretend no Right there in opposition*
to the Orthodox College of Bishops, in whose
 Possession alone *we can pretend the Right to Spi-*
rituals must be, till legally convey’d from them;
 as much as a Tenant’s Estate only for Life, is
 in the Landlord’s Possession after the Tenant’s
 Death.

But this Principle of unlimited *Subjection* to
 an openly Heretical Possessor, till a judicial

Sentence unjustly neglected, is an effectual way to let Heresies into the Church, and Wolves be Guardians of the Sheep; and to make Domestick Schisms in the Church, more prejudicial to her than those from the Church: Whereas open Heresies ought carefully to be kept out of her, by flying from such Infection, in Obedience to the Faith, and Catholick Unity in Doctrine and Worship.

C. p. 25, 26. We shall in that Case, be under a Necessity of owning them, or none, within those same Jurisdictions.

A. We are under the same Necessity at every Vacancy of the See where we live; in which Case what if we *own none*, but Catholick Bishops wheresoever, till they have legally Invested some; must we forsake our Unity with them and their Right of Investing in the Catholick Church, to own such as he affirm'd either *had no Canonical Investiture*; or *had lost their Right by Schism*; or *were fallen from the Catholick Church's Communion by Heresy*; if it had been so as he said.

C. p. 26. And I know not how we shall be able then to justify our forbearing their Communion, (when there is no more than one Title) any more than we could have done if we had forborn it before the Schism was made.

A. But had they ever made their Communion Schismatical by Heresy or otherwise, could

could we not justifie our forbearing it, till it was purg'd from Schism by Repentance and the Catholick Church's Absolution and Readmission, re-obtaining the Celæstial and Archetypal Union; and the former dissolv'd Relation between Pastor and People again contracted by her Allowance and Confirmation? without which we may leave her too hastily, by presuming too far without her Authority, in joining with those that are destitute thereof. When a Schism is once made, and a different Communion form'd; can those that were guilty of it, become the same they were before, till they relinquish that Schismatical new-form'd Communion, and recover their old, and consequently their former Authority in it, by a Reconciliation and Agreement with it? What can it signify to have the Title out of the Catholick Communion, when the right Authority must be within that Communion? which the Catholick Subjects are oblig'd to keep to, if they will keep faithful Members of the Catholick Church, and thereby in Communion with the Archetypal.

If Bishops, by lapsing into Schism, do not lose Christ's Ratification of their Authority, how could any, at all, justify a Separation from that Authority which still had his Ratification? If by lapsing into Schism, they did disannul and lose his Ratification, how come

they by it again without any Act of their own or of the true Catholick Church obliging Christ to renew it to them? So that there must be a wide difference in *forbearing such a Communion*, or the true one *before a Schism was made*.

C. p. 26. We shall then be exactly in the same Condition in which we were before.

A. Then 'twill be pretty well; for before the Revolution, we had no Bishops who had *deserted our common Doctrines* by Principle or Practice. None (we know of) who by both did not maintain *the Church's Independency, Passive-Obedience, and Non-Resistance*. None whom Mr. D. could *charge with Heresy*; or who stood excommunicated *ipso facto* for Heresy and Schism. None, who had *fallen from the Communion of the Church by their own Act, and thereby lost their Right to her Communion*. None, who needed the Absolution and Readmission of some Catholick Bishop upon renouncing their Heresy and Schism, in order to restore them to the Church's Communion, and to their former Authority in her.

C. p. 26. Nor can I imagine how, what could not formerly have excus'd us for beginning a Separation, can then excuse us for continuing our Separation, when this shall come to be our Case.

A. But

A. But if they had left the Catholick Communion by Schism or Heresy, should not we have been excus'd from leaving it too, and still excus'd, till they return again to it, and become such as formerly? If there had been two Communions, the Cotholick and Schismatical, which must Return, which Readmit? into which must the Reunion have been made? For the two opposite Communions can never unite and become one, no more than Light and Darknes; but the Members must totally abandon and renounce the one, in order to a Reunion with the other. In such a Case we should still be where we were in the Catholick Union and Communion both in Doctrine and Worship, where we were formerly with them; we should not Separate from any, but stand still and keep our ground where they themselves had rightly fix'd us, and there wait their Return from their new to their old Communion; which when they should please to do, we should be ready to join them in due Obedience as formerly: but till then, *how could the former come to be our Case?*

G. p. 26. We shall then have reason to fear our being cut off from Christ, if we disown his visible Principle of Unity, when we have no other visible Principle of Unity in the same Districts, which may perform the same Office for intitling us to the mystical and heavenly Union.

A. Yes,

A. Yes, if he be Christ's visible Principle of Unity by Principles and Practice *on which Catholick Communion is fundamentally grounded*, by being in Unity with Christ's true Principle of Unity to the Christian Church, the Orthodox Episcopacy or Catholick College jointly, and so in their behalf is immediately so to us, but mediately Christ's, — as Vice-Roy to the Episcopal College, who immediately under Christ, unite the whole Catholick Church in one to him: but if by condemn'd Heresy or Schism from Catholick Unity, he has lost the Communion of *the Catholick Church, who is the Mother of us all*, (C. in F. p. 1.) and for want of returning to that Unity is still out of her Communion; then by joining with him, we shall have just *reason to fear* our loss of Catholick Communion, and thereby *our being cut off from Christ*. Besides, if *we have no other visible Principle of Unity in the same Districts*, is it impossible to have one elsewhere? did not the Catholics always disown the Novatians and Donatists when alone in Possession, and still keep to the Bishops of other Districts as their Principle of Unity? The College of Bishops, and particularly the Archbishop (if Orthodox) is the visible Principle of Unity to such vacant Districts; or in defect of these, any Catholick and Orthodox Bishop in the Christian Church. For how can a Bishop,

shop, who ought to be the Standard of Orthodoxy, be the Principle of Unity to any with whom he is not at Unity in Catholick Doctrines, Fundamental Principles, and Divine Worship? Certainly that Bishop that agrees with them in all things must be more properly their Principle of Unity; although he was not formally Inthron'd in their *Diſtrict*, nor suffer'd to appear *viſible* in the Throne or at the Altar.

When the Orthodox Heads of the true Church are forcibly driven or kept out of the Sees, ſhe is unavoidably forc'd into the ſame Condition ſhe was in before there were Sees or Dioceſes made, and neceſſitated to act as ſhe did then. Wherefore it would be unreaſonable, and injurious to the Church, to argue from a peaceable to a persecuted State thereof, and to inſiſt ſtrictly on all her Concor-dats made only for times of Peace to her Advantage, when ſhe is not ſuffer'd to keep to them, without robbing her ſelf of her Original and Independent Rights ſhe juſtly poſſeſs'd as her Property in the firſt Perſecutions. Which Rights being committed to her by Chriſt to preſerve, ſhe durſt not, cannot alienate from the Church by any Acts, Canons or Concor-dats, which being made purely on Condition of Favour and Privileges from the State, become of neceſſity void and null in times of Perſecution.

secution. And if in such a Case (to preserve the valid Power and Mission lost by the Lapsers's fall from it) the Orthodox Catholick College be kept up, who as such have a Right over the whole Provincial Church, no matter whether any of them can be particularly Inthron'd in any of the Sees or not, or be particularly Invested with them any more than the Apostles were, they have notwithstanding true Diocesan Power over them all, and consequently may rightly, when they can, inthron-particular Bishops in all the particular Sees of Donatists and Arians, or ratify the invalid Possession and forfeited Right of the Incumbents, when they shall return to be reunited to the Unschismatical College, with whom alone can remain the valid Episcopal Power of such Provincial or National Church, when others have never rightly acquir'd it, or by lapsing lost it, and never recover'd it from those who still preserv'd it in the Church, and who therefore alone can have it and restore it, or by Succession continue it.

C. p. 27. It may possibly be conceiv'd that the Nullity of their former Titles, either given or receiv'd in Schism, may excuse us from Duty to the then Possessors, because they were not *secundi*, but *nulli*, by the Principles of St. Cyprian, and of that ancientest purest Catholick Church. This may make our dear Bre-

Brethren conceive a new Collation of Power necessary, by which those Bishops, who had formerly been engag'd in the Schism, may then receive that Power which really they could not have whilst they were in actual Schism.

A. This Objection I think unanswer'd by him. For if, as he says, there was a *Nullity in their former Titles*; and that *they were not secundi, but nulli*; how is it possible for them to have that Power which was no way really given them, without a *new Collation* thereof on them? Nay, on all *those Bishops, who had formerly been engag'd in the Schism, and which therefore really could not have Power whilst they were in actual Schism.* For if they had it not by reason of Schism, the Consequence is unavoidable, that it must be conferr'd on them before they can have it.

C. p. 27, 28. But I see no reason why the Nullity may not cease together with the Schism: On the contrary, it ought to do so, if the Nullity was wholly grounded on the Schism.

A. A *Nullity cease*! Does a *Nullity* ever exist, that it *may cease*? But how does that Nothing become Something, till a Return to the true Communion of the Catholick Church, and the College of Orthodox Bishops here, or some other foreign Bishops of the Catholick Church, by some way deriving their Authority,

urity, make that Nothing Something? And till that is done, even the *Schism* cannot cease, nor they have any Spiritual Power, but the same *Nullity* they had before.

C. p. 28. If their being *Nulli*, be a Consequence of their being *Secundi*.

A. He said just before in his 27th page, (and also in his Letter to Dr. *Whitby*, &c.) that *they were not Secundi, but Nulli, i. e.* tho' they were invalidly Ordain'd with the empty external Form of Consecration, yet with respect to any legal valid Authority, they were *Nulli*; and also with respect to the true Communion they must be *Nulli*, because out of that Communion, till Readmission. But I suppose he means here, If, because they were *Secundi*, they were therefore *Nulli*. But here lies the Mistake; it is because they were not *Secundi* (properly so call'd,) that therefore St. *Gyprian* says they are *Nulli*; for if they were properly Seconds, they could not be said to be *Nulli*. A Bishop may be rightly and properly Ordain'd a Coadjutor; or a Second, *i. e.* to succeed at the Incumbent's Death; as on some occasions was done: and *Augustine* made his own Successor in the See of *Canterbury*, and own'd for such by the Church: which is a proper conveying District-Authority in Reversion. But in *Schism* they are not pretended to be made Seconds, but present Possessors; therefore are made neither;

ther ; for all such Conveyances are void in Law.

C. p. 28. All the Orders of our Schismatical Bishops are indeed deriv'd from Bishops, and originally from Catholick Bishops before the Schism was made.

A. But Catholick Bishops never had a Power in themselves to give a Commission over a full See ; therefore none could be receiv'd. Besides, does not the very Attempt to Ordain into a full See , make a Catholick Bishop become a Schismatick, (according to *Mr. D.*) make him lose the Communion of the Church, and thereby his share of the Power in her ? For no single Bishop or Bishops have any Power in themselves separate from that of the College. How then can such an one derive the valid Episcopal Power to another in the Church, when himself is out of the Unity and Communion of the Church, and thereby, so long at least, has lost his own Participation of that Power in the Body ? all which must necessarily remain in the united Body alone the Orthodox Catholick College.

And the Case of all that join in Communion with such, is the same. “ By breaking the
“ Unity of the Spirit they lose the Spirit, and
“ and can no longer convey the Spirit to o-
“ thers, when they have disunited themselves
“ from the Bond of the Spirit. Their Cove-
“ nanting

" nanting for Heaven and Forgiveness of Sins,
 " and all things of that nature, which none
 " but Christ can perform for them, must be
 " invalid, and convey no Right at all whilst
 " themselves are *Aliens* from the Covenant,
 " and have lost the Right they had receiv'd at
 " their Consecration, of transacting on God's
 " part of the Covenant. (*Case in Fact*, p. 23.)
 Exactly agreeable to which says the judicious
Conference between Gerontius and Junius, p. 55.
 " They having forfeited and lost the Spirit,
 " and never recover'd it, can give neither
 " Confirmation nor Orders, nor consecrate
 " the Eucharist till they have recover'd it,
 " which they have not yet done; nor are like
 " to do till they repent, &c. and are receiv'd
 " again into the Church from which they have
 " separated themselves, [and are again made
 Partakers of the one Episcopacy, or that one
 and the same Episcopal Power flowing from
 the one Spirit in the Church.]

Certainly what such do, still remains the
 same as if it were never done, with respect to
 any internal Benefit, that can ever accrue to a-
 ny one from thence, but only from some after
 Act of the Church upon a Return into her.

C. p. 28. These were, without doubt, suf-
 ficiently impower'd to give the Episcopal
 Rights to the Persons Ordain'd by them, as they
 intend to do.

A. Be-

A. Before any Schism, they were so, into a vacant See. But no Bishops have any Power at all to give any Right over a full See; nor can the Ordain'd, in such a Case, receive any such Authority. Nay, so far from it; that that Schismatical Act of theirs would deprive both of the Catholick Communion and of all Authority in it. The Episcopal Rights therefore would remain to be legally given to such a one, before he can legally have it. Here, *Quod fieri non debet, factum valet*, has no place; unless with respect to the external empty Form only. But with respect to any real inherent Power, the contrary is true, *Quod ab initio vitiosum est, tractu temporis non potest convalescere*. And, *Non firmatur tractu temporis, quod ab initio jure non subsistit*. Tho' they were once sufficiently empower'd legally to give the Episcopal Rights, yet (according to Mr. D. himself) if they had *lost the Unity of the Church*, and thereby *the Spirit* of Power contain'd in that Unity, they could not give it, before it was restor'd to themselves.

C. p. 28. And sufficiently authoriz'd by God himself to oblige him to perform his part, and to ratify their Acts in Heaven.

A. But had they perform'd any Schismatical Act, God cannot be oblig'd to ratify any Act of Schism, but by some legal after Act of the true Church: nor has he oblig'd himself

to ratify a pretended Possession without any legal Act of the Church. Such then have just Cause to fear the want of a Ratification in Heaven; without which their Power must still be usurp'd, schismatical, and null.

C. p. 28, 29. And the Persons so Consecrated were also sufficiently qualified for receiving the Orders intended for them by the Rules of their Communion.

A. Were they so according to the Concor-dats, Rules, and Laws, by which the Com-munion have solemnly bound themselves? And is the Attempt of Schismatical Intrusion a Qualification for Orders? Certainly rather for Deprivation thereof, if they had them.

C. p. 29. What then could hinder the de-sir'd Event?

A. *What could hinder!* Why, "The Im-practicableness of the thing it self by the
" Fundamental Constitution of the Society.
" And that resulted hence, that two Persons
" were allotted for that Office, of which no
" more than one at once was capable, and
" which could not be divided by the Donors
" themselves. This therefore exhausted their
" whole Power by the first Donation, and left
" nothing to be convey'd by the Second. Which
" must by necessary Consequence, make the
" second Donation null and invalid, because
" the Donors have no more to give till a
" new

“ new Vacancy. This holds in all Gifts where-
 “ in the whole is convey’d ; but especially in
 “ Monarchy, where the Nature of the Consti-
 “ tution requires that the whole Power be con-
 “ vey’d, if any thing be convey’d at all. (p. 29,
 30.) *Any thing at all*, i. e. with respect to the
 true Communion. Yet I suppose the empty
 Character of a Bishop, or the invalid external
 Form of Consecration capable of Ratification,
 (like a Conveyance before it has Hand and
 Seal, i. e. authentick Validity) may be given
 in Schism, tho’ no Spiritual intrinsic Power *at*
all can. If *nothing be convey’d at all*, they there-
 by can have nothing ; however not valid
 Power.

Is it not then a profound Subtilty of our
 Spiritual Arch Enemy (who turns himself in-
 to an Angel of Light) to make us lose Episco-
 pacy, by owning those that have no true
 Mission or Power *at all*, but *null and inva-*
lid ; nor will seek to have it where alone they
 can acquire it ? And no doubt but the Adver-
 saries of the Church would in time urge it
 with too much success against her.

C. p. 30. On these Principles therefore, the
 reason of the Nullity of second Bishops, de-
 pends wholly on their being Seconds.

A. Or which is the same, they were *Nulli*
 because *Secundi*. But he that is rightly and
 truly made a *Second* Bishop (as *Austin*’s Succes-

for was) is not a *Nullus* of the true Communion, but a Catholick Bishop as much as the *Primus*. Here Mr. *D.* reasons on a wrong bottom; for as I said before, when any were Ordain'd in Schism, they were not made *Seconds* (properly so call'd,) nor pretended to be so made: therefore *Nulli* with respect to those Districts: and besides, for want of being so made, and by usurping Possession, they were (according to Mr. *D.*) in Schism, out of the Catholick Church; and therefore wanted even the Power at large; and that, till 'tis given to them by the Catholick Church: For there is no way of having it but by her legal Conveyance of it: nor then of keeping it, so as to emerge any more, without continued Unity with the Fountain, the one true Episcopacy, whose Power cannot be divided from her, tho' the Persons may from her and her intrinsic Power; wherefore nothing of it can remain in such Lapsers to emerge again, but it must be renew'd and restor'd from the Fountain, by which alone it can exist. If they had been made proper Seconds, that would not have made a Schism, nor hindred them from sharing in the Right over vacant Sees with their Collegues. But I cannot comprehend how a *Nullity* can depend on any thing: Power may depend on something; but no Power must, I think, depend on nothing.

C. p. 30. It cannot therefore hold in the Case under our present Consideration, where in we suppose that there will be no Seconds, but only single Persons in actual Possession.

A. *In actual Possession!* of what? Of the Temporals I grant; but how would they be so of the Spirituals? Besides, there neither were, nor will be any *Seconds*, but *Nulli* with respect to Episcopal Authority, and Catholick Communion, till they return to it by a Réconciliation, and are allow'd that Authority from the Church; if they had (as Mr. D. affirms) fell from her by Schism. Says he, "The Duties to the first Bishops oblig'd us by the Principles of the Primitive Catholick Church, to disown all Intruders as out of the Church, not as second Bishops but as none at all: as cut off from the Peculium; as having no Title to Pardon of Sin, to the Holy Ghost, to the Promise of future Rewards, even on the Performance of Duty. And all the Bishops who communicated with such Intruders, were by the same Principles look'd on as having cut themselves off from the Collegium of Bishops, and consequently from the Catholick Church. (D's Letter to Dr. Whitby, M. S.) How then can they, who are no Bishops at all, or who have cut themselves off from the Collegium of Bishops and the Church, be again ingrafted Members of the Catholick Church,

Church, without the Authoritative Consent of Catholick Bishops not so cut off by Schism; much less without it how can they be even valid Bishops; and much less yet, how is it possible for them to be in actual Possession of the Spirituals belonging to the Church, only by Possession of the Temporals? And that their Possession of the Temporal Authority within such Districts, should give them the Spiritual Authority therein, without legally deriving it, and the Validity of Orders, from Catholick Bishops, is (through mistake) a giving up the Rights and Spiritual Power of the Church with a witness; and would in time leave no real Bishop in the Church.

G. p. 30. Here therefore there can be no Schism, where there is no Altar against Altar, where there is no more than one Altar, no more than one Bishop with whom Communion can be maintain'd by partaking of that one Altar.

A. Just so it is in *France* or *Spain*, yet are not those Bishops in Schism from the Catholick Church diffusive? And the *one Bishop* here must not be a Popish or otherwise Heretical and Schismatical, but a Catholick Bishop rightly put into Possession; otherwise the *one Altar* always devolves to the College of Catholick Bishops, at the Vacancy by Death, Heresy, or Schism; and if there were any Intruder,

or

or otherwise uncanonical Possessor, that had one also, there would be still more than one, and Altar still against Altar: so that by adhering to him, the Subjects might still be in Schism from them into whose hands the Altars are fallen with respect to Spirituals, and consequently from the true Altars and Principles of Unity. And thus the Catholicks always thought, when there was *no more than one Bishop* visible in the Throne, or at the *Altar*, if he was a Donatist, a Novatian, or Arian Bishop.

C. p. 30, 31. What then can hinder but that those [null] Consecrations, which wanted nothing necessary to their Validity at first, but the Vacancy of the Sees, may then, at least, attain that Validity (which before they had not) when the Sees become actually and fairly vacant?

A What can hinder a null Consecration from attaining Validity? Why, the want of the true Church's Ratification of the external invalid Form of Consecration, in order to obtain the Cælestial Ratification. The want of a Vacancy of the See, makes a Consecration to it, want all things necessary to make a Catholick Bishop, except only the external Form. It not only hinders the Conveying any Diocesan Authority at all, but makes the whole Consecration invalid as to any intrinsic Power; nay,

makes him lose that of a Priest in the true Communion of the Church, till a Re-admission into it with her Allowance of that Authority again in it; since himself by that Schismatical Act becomes not so much as a Member thereof.

When a See is *actually and fairly vacant*, it is no particular Man's Right, but the Right of all in conjunction of the whole Orthodox College: and every body knows what alone it is, that always gives a Right at Vacancy, *viz.* Delegating the Authority of the College over the vacant See, to one at his Investiture by the Consent of all, as their Deputy Governour in such District invested with their Authority, communicated to him, but not given away from themselves, no more than from a King to his Vice-Roy; but (like a Rivelet from the Fountain) still streaming from their Consent by his Unity with them, but no longer than he keeps united to them the Fountain. Intruders may then at Vacancy *attain* that *Validity* by returning to the Catholick Communion, and by the Ratification and Allowance of the Catholick Bishops, to whom the Authority of those Sees is devolv'd; but sure not otherwise.

C. p. 31. When that very Impediment shall be remov'd, which alone hindred them from being valid originally.

A. Alone

A. Alone hindred! If the want of Vacancy alone hindred, what then hindred them that were Ordain'd in the Schism to vacant Sees? But because their Consecrations were not *valid originally*, for that very reason still so, till made otherwise by some new Act of the Church. The *Impediment* was the want of the true Church's intrinsic Episcopal Power to be deriv'd; which all wanted in all Schisms, tho' Ordain'd to a vacant See. And the Ordainers themselves by their Schism became destitute thereof, and need a fresh Derivation of it from the deserted Fountain which convey'd and continued it to them before their Separation from it. The Removal of that Impediment he means, may make them capable of the true Church's Confirmation annexing her valid Authority, upon a Return from their new to her old Catholick Communion; but till that be done, those Consecrations can have no *Validity*, which, he says, *had none before*. And when the Donatists or Novatians were alone in Possession, till they would recant their Schism, and Invasion of the Church's Rights, and seek the Church's legal Authority, the Orthodox College always thought themselves bound to Invest others, if they could not as well supply the Vacancy themselves.

C. p. 31. It is certain that there are many legal Conveyances, which tho' they do not
con.

confer an actual and present Title, yet may do it very effectually in Reversion, and at a distance, when Conditions are put, &c.

A. But what *Conditions were put!* And what is all this to illegal and inauthoritative *Conveyances?* The Episcopal Power at large cannot be given in Reversion, tho' District-Authority may; for when the Power at large is not given at Consecration, it is not thereby given at all. But as to District-Authority, we readily agree with him, that what is really given in Reversion by valid Authority, at Vacancy devolves to the Reversioner; (and one would think he here pleads for some he pretends to oppose;) but a Gift, not in Reversion, but in Possession to a full See, is no legal Conveyance, and cannot be deriv'd; therefore nothing at all in relation to that See is given by such Conveyance in Possession, or if given to a vacant See by any that are out of the Church by Schism, and thereby have lost their own Power of conveying any Authority.

C. p. 32, 33. An unanimous actual Reception by the concluding Votes of the whole Body has the same force in Elective Succession, that Devolution can pretend to in those that are Hereditary. This therefore will legitimate the Succession of our present Schismatical Bishops, in case our present Fathers should either quit their Right, or substitute no Successors to fill their Vacancies.

A. What

A. What, tho' they should still be refus'd Communion by the Orthodox Episcopacy of the Catholick Church diffusive, till they will return to the Catholick Communion? If our *Fathers had quitted their District-Right to their Sees*, they would still have been Catholick Bishops, and they must also have given their Consent for their Rivals to succeed into those Sees, or else they would not have had an *unanimous actual Reception by the concluding Votes of the whole Body*. An unanimous really actual Reception and Confirmation by the whole Body of Catholick Bishops, will do so as he says to those that renounce their Schism, and Invasion of the Church's Rights: but a whole National Body, if they had been all guilty of Schism, and therefore out of the Communion of the Catholick Church, (as the Popish Bishops are,) could not legitimate a Succession in the true Catholick Communion, till they first return to that Communion themselves, and are again receiv'd into it, and again made Members of the Catholick Episcopal College. Nor can the whole National Body of Protestant Catholick Bishops receive a Popish Bishop to their Communion, and legitimate his Power therein, unless he renounces the Popish Communion, except a Man may be of both Communions.

Catho.

Catholick Bishops join in Communion with an Intruder in one of these two respects, Either to ratify his assum'd Authority upon an Agreement between him and them : Or, 2^{dly}. Without any such Agreement, as owning him a rightful Bishop from the Investiture of the State, &c. In the first respect, they legitimate his Power in the Church, and also derive to him a Right to the See he till then invaded destitute of Spiritual Power. But in the last respect, Communion with him makes them by Contagion guilty of his Crime, of invading and betraying the Church's Right, and *involves them with him in the Schism of the State against the Church, and cuts them off likewise from her Communion, and from all Right of Voting* ; as you will see by and by in his p. 54, 55, 56, 60.

Nor can it be imagin'd, in another Case, how an impenitent Thief and his Partakers and Receivers do cease to be such, upon the Death of the Person he robbed ; or how his Partakers and Receivers (tho' they should be some of our Judges) can acquit and justify him instead of being guilty with him. No legal Synod (much less an Heretical and Schismatical one) have any Power to acquit a guilty Person, nor to condemn the guiltless, but that Act of theirs must be wholly invalid. " The Censures against *Athanasius* must have
" been

" been essentially invalid on two accounts ;
 " both as to the Cause for which they were
 " inflicted, and as to the Persons by whom.
 " As to the Cause for which they were infli-
 " cted. For they could not believe that God
 " would deprive him of Catholick Unity, on-
 " ly for maintaining the Catholick Faith, which
 " was one of the principal Foundations of that
 " Unity. And as to the Persons by whom
 " they were inflicted, who being Hereticks,
 " were incapable of being Bishops, and conse-
 " quently of an Ecclesiastical Jurisdiction. (*D.*
Sep. of Ch. p. 588.) Sure then the Subjects
 may as rightly leave the Communion of such
 Heretical Bishops, before a judicial Sentence
 uncanonically and unjustly neglected, as cleave
 still to Orthodox *Athanasius's* after a Synodi-
 cal Sentence of deposition unjustly pronoun-
 ced. " The same is also own'd by the Au-
 " thor of Mr. *Hody's* M. S. and many other
 " both Canons and approv'd Practices of the
 " Catholick Church, in the case of Bishops
 " notoriously owning a Heresy formerly con-
 " demn'd, [by the Canons of Councils or of
 the Holy Scripture.] " In that case even Sub-
 " jects and Persons who could pretend no Au-
 " thority over him, not only might, but were
 " thought oblig'd to leave his Communion ;
 " antecedently to the Formality of a Synodi-
 " cal Sentence of Deprivation, [since by reason
 of

of his Heresy he became an uncanonical Possessor; and the Subjects must otherwise be out of the Uniry and Communion of the Catholick Church that for his Heresy refuses Union with him and her Communion to him.] “ Schism and Heresy are Incapacities, and inconsistent with the very Being of a Bishop when manifest and notorious. They make a Person no longer capable of the Honourable Station of being a Principal Member, a visible Head of that same Body from which he has profess’d himself so visibly divided. So that he has divested himself of that Authority he had formerly by his own Act, and therefore has nothing more that can be taken from him by an Act of Government and proper Jurisdiction over him. (Mr. D’s Ans. to Bp. Still. 6. Qu. M.S.) “ *Foris enim sunt, alieni, & nulli pro principis S. Cypriani. Itaque sententia nulla opus est quæ illos ejiciat ex Ecclesia vel exuat officio; sed potuit eorum sedes ut vacua suppleri. Finis Literarum Formatarum hic præcipuus erat, ut commune Fidei depositum hoc commercio inviolatum servarent.* (Paræn. ad Ext. Par. 42. p. 192.)

And the reason of all this is very clear, that they not only lose Catholick Uniry by departing from it themselvts, but are also actually depriv’d of it by the Church refusing them
her

her Communion; for the Catholick Bishops in defence of Truth, are oblig'd to refuse an Heretical or Schismatical Revolver their Communion (till he will return to the Truth,) by which his Authority must be lost in that Communion from which he is fallen, till upon his Return it is no longer refus'd him by any Catholick Bishops: he must so long lose his share of the Supreme Authority lodg'd in the one Episcopacy by being thus divided from it; and consequently his Subjects are oblig'd so long to forsake him, not only to avoid the Contagion of his Heresy and Schism, but to keep themselves under the Supreme Authority in the true Orthodox Communion of the Catholick Church with her Orthodox Bishops. How then could the *concluding Votes* of such legitimate any one, when by Schism they had *lost all Authority in the Church*, (and even the *Right of being Members of the Catholick Communion*) till it is first restor'd to them by those, who by carefully preserving it, are capable of restoring it?

If Bishops yield up to the State their Right of legitimating others in the Church, how is it possible for such to *legitimate* any, till they have first recover'd that Right to themselves? Those therefore alone that retain'd that Right in the Church, by not yielding it up, can *legitimate* others in her.

C. p. 33. The immediate Injury was to the Persons only of our rightful Bishops.

A. But was there no Injury to the whole Catholick Church; by breaking her Unity and opposing her Communion; none, in reference to the Purity of her Doctrine and Worship; none, in reference to her Laws and Discipline, to her Independency, and Rights of Deposing and Investing her Bishops? *The yielding up of which to the Lay Power, might hazard her very Being in Times of Persecution by a Lay Enemy.* Mr. D. himself owns, "In our Case our Adversaries very well know the Injury is more than Personal. The old Doctrines of our Church are involv'd in the Injury that is offer'd to them, [the depriv'd Bishops.] (*Vind. Depr. Bps. p. 13.*) "And [therefore] they, at least several of them, separated [purely] on account of the Doctrines of Christ, and his Apostles, which were in Fact deny'd by their Adversaries. (*Gerontius, p. 68.*) And, (*p. 71.*) "As long as they defend by their Practice those [opposite] Doctrines, so long they cannot be of the true Church of *England*, but must be reckon'd Deserters. So far, says Mr. D. as they desert the old Principles, so far they cease to be of the Church, whose Principles they have deserted. (*Vind. Depr. Bps. p. 28.*) And again, "Whenever they pretend to vary
" in

“ in any Point of Faith from our old Church
 “ of *England*, they ought no longer to pretend
 “ to be one Communion with our old Mother
 “ the Church of *England*, wherein we were
 “ all united formerly. (*Case in Fact*, p. 107.)

Besides, when an Orthodox Bishop is depos'd by the Lay-Power, only from the Exercise of his Spiritual Authority, the immediate Injury is to the Church, as well as to the Person of the rightful Bishop, by invading her Right and Property of Deposing from Spirituals, or else of continuing her Authority in him, as well as his of Possessing, nay, even Christ's Ratification of his Possession: the Injury is immediate to the Diocesan Church, by taking away her deputed Head, and to the Collegiate Body by cutting off a sound Member, and endangering all the rest, the whole Church, by the like Invasion if yielded to. 2ly. The immediate Injury is to the Church, not to the Diocesan, by attempting to Invest another with the Spirituals; because 'tis her Right and Property alone to do that, when he is dead and unconcern'd in it. Besides, the Subjects cannot be united to their Archetypal Head, by a pretended Representative not legally authoriz'd by his Church, and therefore without his Ratification.

The Civil Magistrate has no Power to depose a Catholick Bishop from his Spiritual Di-

strict-Authority given by the Church: nor has a Synod Power to do it without Law, without a lawful Cause. But when a Synod has legally and justly depriv'd a Bishop; or when he has by Schism or Heresy depriv'd himself of Catholick Unity and Communion, and, by a necessary Consequence, of all Authority in it; the Magistrate then has Power to dispossess him of his pretended continuance in that Possession, without encroaching on any Right of the Church; who in this or the like Case, by the Civil Sword, only defends it.

C. p. 33, 34, 35. But it is conceiv'd in the unhappy Schism now in being, the separation following upon it extended to the whole Catholick Church, so as to cut off the Persons guilty of it, from all Right of Communion with all other Churches of the same Communion throughout the whole World. For this indeed is the only Consideration that can make the Breach damageable, in relation to the mystical and heavenly Benefits of Communion. This I think unavoidable by the Principles of the purest and earliest Ages of the Church. And the Evidence that it is so, is, in truth, the real Cause why I take it to be our Duty to be so earnestly concern'd for it. But what then? Some of our Brethren conceive that the Consequence will be, that the Schism will not die with the Persons of our injur'd Fathers. And
the

the reason why they think so, is, because they think that it will still continue in relation to the rest of the Catholick Church; which in this Case, by her foreign Protestant Bishops may supply us with Presbyters, or with Bishops who may keep up our Succession.

A. If the true Catholick Church throughout the World is but one, and Schism from any part cuts off the Persons from all Right of Communion with all; and the Evidence that it is so, is unavoidable; must not the Persons so cut off from the whole, be again ingrafted by it, before they can again be Members of it; any more than a Branch cut off, can ever be again in the Vine without Ingrafting?

This indeed is a weighty Consideration; and 'tis *our Duty to be earnestly concern'd for it*; for certainly I am to take care to keep in the Communion of the Catholick, and thereby of the Archetypal Church; although my District-Bishop should not, but still be in Schism from her, (and thereby without Spiritual Power) by not desiring, but opposing, her just and necessary Authority of Re-ingrafting fallen Members.

Surely the Catholick Church includes a particular Church, yea *all particular Churches in the World, (p. 39.)* and every particular Church was wont to be accountable to her, to her general Councils, and oblig'd by their Canons:

as, "The Church [in Council] at *Jerusalem* had a Right to oblige all other Churches "in the World by her own particular Acts ; " [and] the local Schism continued, whether "the Church of *Jerusalem* had a living Delegation upon the place, or not, with whom "they might Communicate, (*p. 36, 37.*) As the Provincial College has a Right to inspect the Irregularities of a Diocesan Bishop, so the Universal Orthodox Church has a Right to inspect and reform the Irregularities of a Provincial Church. And this is all he can make of his *Jerusalem Supremacy*. There the then few Bishops of the Catholick Church met and made their Decrees, (*Acts 15. 6. Ch. 16. 4.*) as their Orthodox Successors did afterward meet in other places and make theirs ; by which every particular Church is, in like manner, bound to be guided : and that particular Church that will not, breaks the Unity, and is in Schism from the rest of the Catholick Church that do. And *this* is still the very Case, as he owns it *was, indeed ; the Case before the Jerusalem Supremacy was extinguished, p. 36.* Which Supremacy I understand to be there, only before they left off to keep their Council or Synod there ; and to be afterward in other places wheresoever a Legal Orthodox Council, or Synod was, or is now kept. Nor did the Apostles ever make a particular

Church

Church equal in Authority to an Orthodox General Council, or a Synod; as he intimates, p. 37. For, if so, how can a Synod deprive a particular Diocesan Church of their deputy Head, and a particular Bishop of his Diocesan Authority? Indeed they cannot, unless he has in effect first depriv'd himself, according to the Sentence of the Law; but then they can declare him depriv'd by the Law; and reassume to themselves the Authority they had conditionally delegated to him.

The Church of *Jerusalem* was not only *the peculiar Charge of the Apostles*, because *they liv'd in such a particular District*, as he says, p. 69, but also all the Christian World was their Charge, as they were Ordain'd Bishops at large over all Believers wheresoever they were, or they could make them; till they had Ordain'd others in particular Nations. And even then, they were as Metropolitans over them, especially in Council or Synod. And so is still an Orthodox Synod, or General Council, over a Diocesan Bishop, by vertue of their Power at large, as being the Supreme Authority of the Church. So that a particular Bishop may rebel against her Supreme Authority, and "The Diocesan Schisms may be consequent to a Schism from a Power [the Catholick College of Bishops] " that has a Right to govern the whole Catholick Church: tho' he

intimates the contrary, by adding hereto, if, p. 35, 36.

G. p. 35, 36, 37, 38. There might be some pretence for this, if the Diocesan Schisms had been consequent to a Schism, from a Power that had a Right to govern the whole Catholick Church; [as the Universal Episcopal College certainly has.] This was, indeed, the Case before the *Jerusalem* Supremacy was extinguished. So long all Schism was from the Church of *Jerusalem* immediately, and from other Churches only consequently, as Subjects of that one Church; [and so it is still from the one Catholick Church diffusive, as other particular Churches are Subjects thereof.] But the Case is very different, since all other Churches are, by the last Act of the Apostles made equal with the Church of *Jerusalem*; [but not to a General Council, or a Synod.] Every particular Church has the same Right now, with that of *Jerusalem*, of having its Acts ratified in the true Mother Church of the heavenly *Jerusalem*; [not immediately without the joint Consent of other Churches, but by being agreed to by the Universal (true Mother) Church on Earth; not else.] And each particular Bishop, as Supreme within his own Jurisdiction, has the same Right of obliging the mystical Bishop immediately, in relation to the Subjects of his own Jurisdiction, as the Bishop of *Jerusalem* could

could pretend to then; [*i. e.* is Supreme as (he fancies) he was, or as (I say) a Synod was there.]

A. But *the Mystical Bishop is oblig'd immediately* by his whole Church consenting to a District Bishop's Acts; and oblig'd thereby mediately by a District-Bishop. He lays great Stress on this pretended last Act of the Apostles, (of making every Diocesan Church Supreme,) which therefore he should have taken care to prove, if he could; but it wants Proof entirely; and I utterly deny it. A Diocesan Bishop is superiour to all in his Diocese, (as a Mayor is in a City,) yet he has a Superiour in the Church; for he that is Supreme is accountable to none on Earth; but a Diocesan Bishop is certainly accountable to a Synod; and may (if he deserves it) be justly depos'd by them; and his Subjects are bound to submit to the Sentence of the Supreme Authority; which shews that they were the Subjects, not only of the Diocesan, but also of the Episcopal College Superiour to him.

But most of his Reasoning in this 7th Section, and unto p. 45. proceeds from a Supposition, that the Incumbents are Canonical and Rightsful, and agreeing in the same Faith with the Catholick Church, (*p.* 42.) Which if so, why did he so often charge them with Heresy in several places of his other Writings? to

which I refer that matter. But to affirm any to be Canonical and Rightful purely by the invaded Possession of the Episcopal Chair, is a robbing the Supreme Authority (the Catholick College) of their Right of Possession, till they Elect and Invest an Orthodox Catholick Member of their own. And by what Canons he could prove such Possession to be Canonical and Rightful, I cannot imagine; he offers us none: but he might have found some condemning it as Uncanonical and wholly Invalid; and still to continue so; (as all Intruders were ever judg'd to do;) till they obtain the Admission and Ratification of the Orthodox Bishops of the Catholick Church; under whose Care and Charge jointly the Universal Church is, especially the valid Episcopal Succession, as well as each particular Diocese is under each particular Bishop; and by whose Authority alone legally deriv'd, each rules his particular District. But by making every District-Bishop Supreme, he divides the Supremacy, and loses the Unity of Episcopacy; makes thereby many Heads to the one Catholick Church, and that one Church many Churches independent of one another; and so divides the Catholick Church, and utterly loses her Unity.

C. p. 39, 40. All the Obligation of foreign Churches must be deriv'd from some Act of the

the particular Churches [here] that may oblige the Cœlestial Bishop, and thereby oblige foreign Churches.

A. Or in other Words, *All the Obligation of the Universal Catholick Church must be deriv'd from some Act of the particular Churches here, that may oblige the Cœlestial Bishop, and thereby oblige the Universal Catholick Church. (Inverso ordine!)* But how can that be, *when the Sees become actually vacant?* (p. 31.) Or *after the Vacancy of all our Sees?* (F. Prospect, p. 3.) But suppose them not vacant; I deny this Assertion: for the Obligation of foreign Bishops is chiefly from their general Commission and Charge over the whole Catholick Church, where ever there is need of their Assistance, to defend the Faith, and protect the Catholick Subjects from false Apostles, that by Heresy or Schism seduce their Flocks from the true Fold, the Unity and Communion of the Catholick Church. Which indeed I must agree with him would make *the Sees vacant of such as to the Catholick Communion.* I always thought that the Obligation of particular Churches was deriv'd from the Universal Church, as they are Members thereof. May not the just Acts and Canons of Orthodox General Councils and Synods *oblige the Cœlestial Bishop,* and thereby every particular Bishop; as well as the Acts of a particular Bishop alone, can oblige

lige foreign Churches ? However a single Bishop must be Orthodox and Catholick to oblige them.

But what then did he think of the Act of Orthodox Bishops refusing Communion to Heretical Revolters from Catholick Unity in Fundamental Points of Faith, (as they did and do to the Popish Bishops,) which is call'd the lesser Excommunication ? Does not that oblige the Cælestial Bishop, till some contrary Act of an Orthodox Catholick Bishop in the Name of all restores them again to the Catholick Communion ; or at least till they return to its Unity themselves by their own Act, and obtain the Cælestial Bishop's Absolution and Re-admission, and Confirmation as Bishops, in case only no Catholick Bishop on Earth any longer refuses Communion to them ? as we suppos'd and believ'd at the Reformation.

C. p. 41. Contents. If therefore Foreigners concern themselves in Jurisdictions not belonging to them, without any Obligation to do so, in order to the asserting the Right of a Bishop of the place, they involve themselves in the guilt of Schism, [if the Incumbents are Orthodox and Rightful.]

A. But they would involve themselves in the Schism, if they should own and join with impenitent Schismatics, Popish Bishops, or Hereticks, before Reconciliation to the Catholick

lick Communion ; but not by taking care of the Orthodox Catholick Subjects within such Districts destitute of Orthodox Bishops of the true Communion, and therefore without Episcopal Authority in it, till Reconciliation to it, and Confirmation by it. In such a Case they would have an indispensable *Obligation to do so*. Otherwise how shall we justify our Protestant Bishops doing so in *Ireland* in Jurisdictions where the Popish Bishops have ever kept up a regular Succession in every Diocese ?

C. p. 42. This would be to judge of God and Christ, if the [foreign Bishops] presum'd to judge of the Act of their authoriz'd Representative, who might be so undoubtedly when there are no Seconds.

A. The immediate Representative of God and Christ is the Supreme Authority, the Orthodox Episcopal College jointly ; a single Diocesan Bishop, (as such) is the immediate Representative of the College, and Christ's only mediately under them : who, at least, *might be so*, if he return'd to Catholick Unity, and the Catholick Bishops (who only can oblige the Cælestial Bishop) pleas'd to make him so ; but not else *undoubtedly* ; any more than a Donatist or Novatian Bishop was, or could be, without the Consent of the Catholick Bishops, although he was alone in Possession. But may not foreign Orthodox Bishops
judge

judge of the Acts of a Bishop tho' never so Heretical, and refuse him their Communion, without *judging of God and Christ?* for 'tis no more than judging according to their Laws and Canons. Nay, are they not oblig'd to do so, in Defence of the Faith and Safety of the Catholick Subjects, on Supposition there were none at home to do so; and thereby keep themselves clear of his Heretical Schism?

C. p. 42. Then, as a Breach of the Terms of Correspondence between the Episcopal College on equal Terms; it must necessarily cause a Schism between them, [foreign Bishops and Domestick,] and that Schism imputable to the Aggressors.

A. Here he owns that foreign Orthodox Bishops together with our Domestick, make up the one Catholick *Episcopal College*. Which is very true of all Orthodox Unschismatical Bishops. But who then are *the Episcopal College*, the *Divided* from it, and the *Nulli* too? Or who makes the *Breach of Correspondence*; do not the Heretical Revolters from the Unity of the Faith, which the Universal *Episcopal College* is bound to maintain in Unity of Spirit? Who then are *the Aggressors that make the Schism between them*, but such as break themselves off from the Unity of the Catholick College by Heretical or Schismatical Practices, which necessitate the Catholick College to re-
fuse

fuse them their Communion? How then are they Members of that College, till they are Reconcil'd and Re-united; any more than a Popish Bishop is of the Protestant College before Re admission? And till they are Reconcil'd and United to the Orthodox Catholick College, are those Subjects that adhere to the College (tho' foreign) in the Schism, or these that adhere to them?

For they that are Hereticks in the Faith, are also Schismatics from the Faith. There is Schism from the Catholick Church in Faith, in Worship, or in Discipline. That in Discipline only, is Schism simply so call'd, without any Mixture of Heresy, or Pollution in Worship; that in Faith, is Schism through Heresy; and that in Worship, is Schism through Impurity and Profaneness. The two latter no less injure the Faith and divide the Church than the former, and by consequence necessarily make a Schism in Discipline mixt with Error; which must be *imputable to the erring Aggressors*; and not to the faithful Orthodox Bishops.

C. p. 43. That intermedling of Foreigners could not find a Schism where it found all within the respective Jurisdiction united under a single Bishop, Orthodox in Faith, without any Competitor.

A. No?

A. No? May not a single Bishop be in Schism from the Episcopal College by Invading their Right of Investing, or of Restoring his *lost Authority*? But how is he a real Bishop, whose *Schism depriv'd him of all Spiritual Power*; unless the College restores it again to him? Or how is he *Orthodox in Faith* without renouncing his Schism from *the Holy Catholick Church*? Or how is he *without any Competitor*, when *by his Schism, the Right devolv'd to the Catholick College*? And how come they to lose that Right without parting with it to him? Ought they not to intermeddle in Defence of the Rights of the Church, till he will submit to her Rights the Right of the Catholick College to receive him again into their Society, and renew his Authority, which he *lost by his Separation from the Episcopal College*, in Unity with whom alone remains the Spiritual Power?

C. p. 45, 46. It is otherwise, where Doctrines are the principal Subject of the Dispute. They, if they be true once, and be thought sufficiently momentous to justify a Separation; must, in the Opinion of them who think them so, be thought sufficient to continue the Separation, and to derive it to all future Generations for ever, as no way depending on the Lives or Rights of single Persons. In this Case, all Bishops in the World, Foreigners as well

well as Incumbents, are equally concern'd, and are not guilty of Encroachment in extending their Care of the common Faith beyond their own Jurisdictions. The distribution of Jurisdictions, only obliges them who own themselves agreed in the Faith.

A. Here he sufficiently justifies *the Separation (under foreign Bishops) of those, at least, who think the Doctrines momentous enough to oblige their utmost Defence, as Fundamental Doctrines are; and to continue the Separation for ever too, (if the opposite Doctrines do,) without any mention of formal Excommunication or Deprivation; but that long since denounc'd in the Canons of Holy Scripture, of General Councils or our own Synods, against Deserters of such Doctrines.*

G. p. 46, 47. Accordingly the Catholics of *Constantinople, and Antioch, and Alexandria,* never look'd upon their Sees as full for being possess'd by Hereticks, but supplied them as often as the Catholick Bishops fail'd, and kept up their Succession against the Heretick Bishops, and treated the Sees of Hereticks as Vacancies belonging to the first Occupant.

A. And why may it not be so again where there are *Hereticks* in Faith or Worship? After the *Catholick Bishop fail'd,* the Altar and See devolv'd to the College of Catholick Bishops, and they had the Right over it, (and
not

not the Heretical Incumbent) and still suppli-
ed it themselves, till they fill'd it with a Suc-
cessor.

C. p. 47. This some of our beloved Bre-
thren might take to be the Case, in relation to
the Doctrines disputed between us and the
prevailing Separation. But Lovers of Peace
will find Cause to bless God that this is not so
really the Case, as less attentive Persons may
imagine. Our truly Catholick Doctrines of
Passive Obedience and Non-Resistance are still
maintain'd by many of our late Fathers and
Brethren, notwithstanding their new erected
Altars.

A. But are not those *Doctrines* deny'd by
some? (and communicated with by all?) And
there however is not this really the Case, since
we must Communicate with them too? Be-
sides, how far from Heresy is their continued
Allowance of *their new erected Altars*, still pos-
sess'd instead of those devolv'd to the Church
at Vacancy; whereby is not her Right still In-
vaded, and they still really destitute of her Au-
thority? He has said, *Their defending their
Schism* (not yet retracted) *was as fundamental
an Error, as the denying any one Article of our
common Faith, and as properly Heretical*, (in his
Letter to Dr. Still. M. S. cited hereafter.)

Lovers of Peace! Did he then at last join
with them in those Prayers which he calls im-
moral?

moral? otherwise how was he at Peace and
 Unity with them? And whether *our truly Ca-*
tholick Doctrines of Passive Obedience and Non-
Resistance, and of the *Independency of the Church*,
are still maintain'd; I leave to the Judgment
 of others from their Practice; and refer them
 to what *Gerontius* (in the excellent *Conference*
between Gerontius and Junius) has said upon it
 in his Quotations out of Mr. D's own Books.
 " Their Practices shew their Principles, and
 " what Doctrines they hold, unless their Pra-
 " ctices contradict their Principles; and if
 " they do, I need only say, *Quid verba audi-*
 " *am cum facta video.* (*Gerontius, p. 23.*) And
 Mr. D. to the same purpose, " Upon this Fall
 " from common Principles you [Bishops] have
 " lost your Right to govern the Bodies whose
 " Doctrines you have deserted, and your
 " fewer constant Brethren were then in the
 " Church of *England*, as much as they would
 " have been, if you, to gratify King *James*,
 " had left them alone in the Profession of our
 " common Reformation. They might there-
 " fore have depriv'd you, and fill'd your Sees.
 " But even here you, who were the first Cri-
 " minals, were yet Aggressors, [in erecting
 " opposite Altars.] (*Mr. D's Letter to Bp. Still-*
M. S.) And falling from Principles and deser-
 " ting them, certainly is not maintaining them.

Besides, "What can Principles signify, if
 "we will not be true to them, if we will fall
 "from them as often as they pinch us, [and
 teach the contrary by a forcible Example ?]
(Vind. Depr. Bishops, p. 104.)

From the former of these Quotations 'tis
 plain 'twas his Opinion, that the Schism com-
 menc'd (before the erecting of opposite Altars)
upon this Fall from common Principles, since they
 then *lost their Right to govern the Bodies whose*
Doctrines they had deserted, and their fewer con-
stant Brethren only were then the Church of En-
gland, as much as, &c. They might therefore
have depriv'd you, and fill'd your Sees. As did
 not some of them then refuse them Commu-
 nion, and thereupon their Sees devolve to the
 Orthodox College of Bishops? How then
 came he to think the Schism could cease, till
those common Doctrines were not deserted, and
they had recover'd their fall from them?

C. p. 48. Thus far therefore we are agreed
 with many of our Adversaries themselves, in
 asserting these Doctrines, how much soever
 we differ from them in the Application.

A. Why then did he say before, *They have*
deserted them? Are we agreed in asserting
 them by a constant uniform Practice? *Differ*
from them in the Application! Then we are
 not agreed. For a full and decisive answer to
 this, I refer the Reader to the *Conference be-*
tween

tween Gerontius and Junius, p. 22. (of which this is part, — “ The Papists will tell you “ they are as much for the Second Command- “ ment as Protestants, and differ only in the “ Application. They only give that Worship “ to Saints and Angels which is due to God “ only. — Thus they agree with us in assert- “ ing the Doctrine.) But *how much soever we differ in the Application*, suppose we are agreed with many in the verbal acknowledgment only of these Doctrines; what must we do as to those that oppose them, and on Principle maintain the contrary *Heretical Doctrines*; must we join in Communion with them too; (as we must) and thereby become guilty thereof by Contagion?

C. p. 48. But then our Brethren may be pleas'd to remember, that this Application is only Temporary and Personal, and therefore likely to expire with the Persons concern'd in it.

A. How likely it is to expire, let others judge. But however till it does, it seems, we are not agreed. And who knows how far a present and general yielding, may hinder it from expiring? If so, who will be able to say, he has not contributed towards its continuance?

C. p. 50. The Doctrines themselves are secure in the Communion, even of our Adversaries themselves.

A. How does that appear? " Their Practice different from these Principles; is, in truth, the greatest Temptation to them to desert Principles so irreconcilable with their own Practices, (p. 50.) And elsewhere he affirms, that they have deserted them. " Our Adversaries have deserted our common Doctrines. They also, tho' the Criminals, have yet been the Aggressors in erecting Altars against those Altars, which themselves also acknowledg'd in common with us. (D's Letter to Dr Whitby, M. S.)

C. p. 50. We may as easily join with those of our present Adversaries, who are already of that mind in defence of our common Principles, against those of them who do in earnest oppose them, as we do now among our selves, in opposition to their whole Body.

A. *We do join with them in that* as much as any do. But if he means *join* in Communion with them against the other; how can that be? For if we join with the one, we must join with the other also, who *do in earnest oppose our common Principles*, they being both of the same Communion, and thereby are they not involv'd in the Contagion of their Heresy, and in the Guilt of conniving at their *Opposition*?

C. p. 50, 51. The Principles may be as secure as many other Principles are, which are
as

as inconsistent with many other Immoralities of Life, which prevail as universally as these unwarrantable Practices.

A. What other Immoralities of Life universally prevail? If an universal Practice oppose any Principles, what Life is left in the Principles; or *what do they signify?* Besides, is not Union with an *universal immoral Practice* to be refus'd, both to discountenance it, and to preserve the Principles from being thereby overthrown? and that according to the Apostle's Prescription? (1 Cor. 5. 11.)

C. p. 51. The same Grace of God, which has restrain'd so many of them from the spreading Contagion, may stop the further Progress of it, and may awaken the Consciences of others to return from whence they are fallen.

A. Restrain'd so many from the spreading Contagion! Are not then the former involv'd in the *spreading Contagion*, and fallen from the aforesaid Principles, in their Practice; and by their Example teach contrary Principles, and thereby destroy the true? Otherwise, how came there ever to be any Separation in Communion, between Mr. D. and them who never deny'd those Doctrines, nor the Independency of the Church on Principle, no nor the Personal Rights of the depriv'd Bishops neither on Principle?

C. p. 52. It is withal a safer Extreme (where Error cannot be avoided) to err in favour of Unity.

A. He here seems conscious to himself of Error; if he would have suffer'd those Dictates to prevail over the force of his Inclinations. Bishop *Saunderson* in his Lectures says, there never can be a Necessity of sinning or erring knowingly. And we may not do Evil that Good may come of it: nor follow a Multitude to do Evil. But why cannot Error be avoided? Is it not avoided by a Separation from it, and adhering to Truth and Orthodox Bishops that maintain it? And indeed without doing so, where would be perfect Unity without Discord and Division even in the midst of Devotion? So that herein also he is much mistaken, for he would err in favour of closer Discord, not of perfect Unity, which would not justify erring neither.

“ Is it not better, and more agreeable to the
 “ Principles of Reason and Religion, that the
 “ Christian Faith be kept whole and undefil'd,
 “ than that an Heretical Bishop [appointed Defender of the Faith] “ who makes it his business to corrupt it, should be own'd [by Catholick Bishops and Subjects] “ to be [the Representative of the Orthodox] “ Head of the
 “ Christian Church, when his Heresy is notorious, and upon Trial, and by his own Confessions

"cessions found to be so? (Geroatius, p 77.)

"Copartnership with such a Church, is rather a Conspiracy against the Head, than Communion of the Body. (*Preservative against Schism*, p. 8.) A Bishop that is truly an Heretick, is also truly a Schismatick; because not *holding the Faith in Unity of Spirit, in the Bond of Peace*, he is in Schism from the *Unity of the Faith and the Spirit*, and from the Orthodox Episcopal College that maintains it in *Unity of Spirit*; and by his unrecanted Errors and wicked Practices, plainly ceases to be one of *the Communion of Saints*, which in our Creed we profess to believe.

G. p. 54. They cannot be Members of the Church of *England* by Principles, who own no Principles obliging them to her Communion in Conscience, if the Magistrate should desert her.

A. Then it follows, that they must own such Principles as shall *oblige them to her Communion under Persecution*, and particularly *the Independency of the Church, in order to be Members of her by Principles*. "Such Obligations of Conscience were the Cement of the Apostolical and Primitive Church. (p. 55.)

G. p. 55, 56. It was the Sense and Concern of the particular Members, when a Breach was made in the mystical Body, that was a Token of a living Member of the mystical Body.

Without which, whoever has a Name to live, is notwithstanding really dead; though he be of *Israël*, yet he is not *Israel*. And if he go out from us, it is taken for a Sign that he never was really of us. Such Suffrages therefore as these, being equivocal Members, can never be fairly taken for the Sense of the Body, be they never so numerous. For none can be a Member of a voluntary Society, who does not own himself oblig'd to be subject to the Laws and Governours of it, by which it is indeed incorporated into a Body.

A. Then an unanimous actual Reception by the concluding Votes of such, cannot legitimate the Succession of Schismatical Bishops after the death of the injur'd Bishops, if they are not Members themselves of that Society, the mystical Body, but are really dead, equivocal Members, not Israel.

C. p. 56. The Sense therefore of the living Members of the Church, how few soever, ought, in reason, to be taken for the Sense of the Body.

A. Then those few only ought to be followed; since Truth is not subject to a Majority, (especially of equivocal Members;) nor can they oblige any not to follow it and those that maintain it.

C. p. 58, 59. We may draw the Guilt of their Apostasy on our selves, (if we keep up the Separation unnecessarily) by adding their
Resent-

Resentments against us to the scandal of their present incongruous Practices.

A. Are some of them guilty of *Apostacy* too, insisted on *Case in Fact*, p. 104, 105? If so, which would be the way of drawing, or not drawing the Guilt of *their Apostacy on our selves*; by joining with them, or not joining with them; in joining, both by Contagion or Countenancing it; or by neither in not joining? And as to their *Resentments*, they are increas'd against those that pretend to join them but by halves, by taking such pretended Union for Hypocrisy; as some of them have call'd it, even in the hearing of some who lately rejoin'd them without Uniformity; being not pleas'd that they half desert the Party and Cause they once espous'd wholly, and will not now wholly but only half espouse theirs, halting between both, and entirely of neither.

G. p. 59. We can pretend no Principles of Conscience inconsistent with Reconciliation.

A. But if they had been guilty of *Apostacy*, and the Scandal of incongruous Practices; if they had been guilty of *Schism*, and of betraying the Church's Independency, and the Injury done her not repair'd by a Restitution of her Rights; if her *Doctrine and Laws had been violated*, and her *Worship polluted*, or they guilty of condemn'd *Heresy*, and thereby stood Excommunicated

ipso

ipso facto by the Canons for both: In such a Case, could we not have pretended *Principles of Conscience inconsistent with Reconciliation*; and should we not have had just cause to fear our being out of the Church's true Communion, by joining with them? Yet, in such a Case, a Reconciliation maintaining *the Church's Rights, Catholick Principles, and Purity of Worship*, would give the *Conscience* full satisfaction, and cause of rejoicing. Otherwise how could it do so? says he, "I have thought my self
 " oblig'd to hold Communion with Bishops
 " not only depriv'd for no Crime but Duty,
 " nay, for maintaining the old Doctrines of
 " the Church. (D's Letter to Dr. Whitby.) Is it not then a *Principle of Conscience to maintain the old Doctrines of the Church*, by a Separation from those that desert them, and by holding Communion with those that maintain them?

C. p 60. This will oblige us, on our own Principles, not to neglect so fair an opportunity of contributing our own Endeavours for recovering our dear Brethren of the fallen Church.

A. Will they not then be recover'd from their Fall, upon the Death of the depriv'd Bishops? We heartily desire their Recovery, and wou'd heartily endeavour it, as much as Mr. D. could, if it was in our Power; wishing nothing more than a Return to our ancient perfect

perfect Unity. But then this is what many suspect, and gives them fresh offence, that we would join them with a broken Union to draw off others) which they think not so open and plain dealing. So that Mr. *D.* is mistaken in what he says, *p. 51. viz.*

Who knows how far our Candor in joining them on these Terms, may prevail with them?

A. Join them! What with Contentions and Opposition? This would be giving them close batrel, (too bold a treating our Superiours,) unless we could conform to their Practice in joining them; and must certainly be more offensive to them, than modestly keeping at greater distance, (or freeing them from such discording Subjects,) till we can join them with Catholick Unity and Uniformity. And therefore he must also be mistaken, *p. 61, 62. viz.*

Undoubtedly we can do more, for a Defence of these ancient Doctrines, by a Re-union with our old Brethren, than by acting alone.

A. I suppose he does not mean a local Re-union of Bodies only, with divided Minds; but a Re-union of Minds in Doctrine and Worship. And how shall this Re-union be effected, by our thinking and acting the same as they do, or by their thinking and acting as we and they jointly did formerly? Unless one side does this,

this, there must continue the same Division of Minds, and the same Difference in Opinion and Practice; and that so much the worse, by how much the more close than before. So that instead of *doing more for Defence of these ancient Doctrines*, we should make the Schism worse than it was; a Schism even in the same Congregation and House of Prayer. We are no less desirous of closing and healing the Schism, than Mr. D. was; but we desire it may be done the true way, like a Wound by a true Cure, which must not be clos'd and heal'd before it be cur'd, lest it grow the more incurable. Nay, while the same Difference in Opinion and Practice continues, it cannot be cur'd by joining them, but the same Schism will of necessity so long continue, and like that at *Corinth*, in the same Church.

C. p. 60. Tho' the Number of Lapsers, even in Opinion, were greater than I believe it is; yet their Majority cannot conclude the Body by the Rules of our Constitution; [nor consequently *legitimate the Succession of Schismatical Bishops*] As Lapsers, from what was before believ'd in common by us, they cannot be Judges but Criminals. And Criminals, how numerous soever, cannot be fairly taken for representing the Sense of the Body, in those very Particulars wherein their Dissent is sufficient to make them Criminals;

A. If

A. If Lapsers cannot be Judges, nor their Majority conclude the Body by the Rules of our Constitution ; then those Bishops only that laps'd not, wheresoever in the Catholick Church, can conclude the Body, and alone are the Judges and Governours of the Church, from whom we must by no means depart. And we may observe, Lapsers in Practice were ever look'd upon to be fallen from the Church, no less than Lapsers in Opinion, and treated as severely, till their Recantation ; (as the Traditors that deliver'd up the Bible, and those that Communicated with Schismatics or Hereticks, whatever their private Opinion was ;) for Example teaches no less than Precept, and often influences more.

C. p. 61. And we have this further Advantage against them in this Cause, that they have not more deserted the Doctrines of our Churches, in those particulars, than those of the Primitive Church, which ought to be taken for the Standard of all modern Orthodoxy.

A. If they have deserted the Doctrines of our Churches, and of the Primitive Church ; where then remains Catholick Unity ; who are the Bishops that are the Standards of Orthodoxy ; and that consequently can alone be the Principles of Unity to the Orthodox Subjects of the Catholick Church ?

C. p. 62, 63.

C. p. 62, 63. These [*Passive Obedience and Non-Resistance*] are Doctrines indeed of great Importance. But there is another, that is fundamental to the very Being of a Church, as it is a Spiritual Society and a Communion, that is also concern'd in our present dividing Disputes. That is, the Doctrine of the Independency of the Church on the State, asserted by our not owning the Validity of the Lay-Deprivations of our Holy Fathers. This I have prov'd a Fundamental so understood. Nor has any thing, that I know of, been ever answer'd to those Proofs by our Adversaries. Here therefore the intermeddling of Foreigners, and the revolting of domestick Subjects to them, would be more defensible, if indeed this Catholick Fundamental Doctrine could not be otherwise maintain'd than by continuing the Separation by the help of Foreign Bishops.

A. Here he owns that this *Catholick Fundamental Doctrine of the Independency of the Church on the State, asserted by our not owning the Validity of the Lay-Deprivations of our late Holy Fathers, is fundamental to the very Being of the Church as a Society; and must necessarily be maintain'd.* 2dly. It seems, if the State should ever invade this *Independency of the Church*, and all the Bishops in *England* should yield to it, and not oppose it; *the intermeddling of foreign Bishops, and the revolting of domestick Subjects*

to

to them, would be defensible and justifiable, yea their Duty, in order to maintain the Fundamental Independency of Christ's Church, by continuing the Separation by the help of foreign Bishops.

C. p. 65. But God has brought that Good out of our present Evils, that the Rites of the Church have never been better understood, nor more universally receiv'd, than since the Violation of them.

A. Universally receiv'd! Do they then disown any Spiritual Right from the Investiture of the State, and seek it legally from the Church from her Catholick Bishops? For if Bishops Invest any one into a full See, they do it commonly by the Authority of the State, not of the Church, which then they have not, to do that. But when they do so, they make themselves *Tenants at will* to the *Lay Power*, and thereby betray the Rites of the Church: They divide the Unity of their own Episcopal College, and with it, that of the Church; and thereby still continue in Schism. if they will not advance one Step towards making up the Breach, by restoring the Church's Rites, and returning to Catholick Unity.

According to the Concordats between the Church and State, the Civil Sovereign has from the College of Bishops the Right of Nomination; but the College alone has still the Right (not only of Consecration but also) of Investing a Bishop with the Spiritual Authority

rity over a District. If then the Civil Sovereign (when there is no Schism) should pretend to Invest an Arian or Socinian Bishop, with Authority over the vacant See of *Durham*, without the Consent of the College of Bishops; that Bishop has no Spiritual Authority in that See; but is divided from the Unity and Authority of the Episcopal College, and in Schism from the Church, by setting up an Altar opposite to them. And so long he continues in Schism from the Church, and without any Authority in her; till he submits to receive it from the College of Bishops, who alone can give it with respect to Spirituals. Hence it is plain, an Intruder invested only by the Civil Sovereign's Authority, can have no more Spiritual Right upon the Death of his Rival, than he had before; till he has it legally deriv'd to him from the joint Consent of the Catholick College: till then, whoever owns his Spiritual Right by Communion with him, is guilty of Schism, by Contagion, from the Church's just Authority and Right lodg'd in the Orthodox College of Bishops. If therefore there was a Schism from the Church before the Incumbent's Death, because he receiv'd not her legal Authority, but usurp'd it; there must be the same still; unless he has since acquir'd the Church's Authority from the joint Consent of the Orthodox College.

Thus

Thus was *Atticus* five Years in *Constantinople* after *St. Chrysostom's* Death, without the Church's legal Authority from the College of Bishops : during which time the *Joannite* Subjects of that See own'd no Authority in him over them, but only that of the College of Bishops, who were then their immediate Principle of Unity, till the College deriv'd their Authority to him by their general Consent : which they had refus'd, not for any Heretical Principle, but for a Defect in Practice, the not putting *St. Chrysostom's* Name in the Diptycks ; or if you please, for not owning the Invalidity of his Authority by Schismatical Investiture, and deriving it from their Consent, after the See was fairly vacant, and it became their Right to supply it : which being the Right of the Church deposited with them, they durst not suffer any other Investiture to supplant, and be a President and Encouragement for the like Injuries to her.

C. p. 70, 71. All these Shifts [of our Adversaries] are purposely to avoid the ascribing the Deprivation of our Holy Fathers to a Lay-Power. From whence it appears, how universally our Principle of the Independency of the Spiritual Function on Lay-Authority has prevail'd.

A. Were they Shifts to avoid, of Arguments to justify the Lay-Deprivation ; since,

H

" The

“ The only Principle on which they can pretend
 “ that their Rival Bishops have lost their Right,
 “ as to Conscience, must be the Power that
 “ even the Lay-Magistrate has to deprive Bi-
 “ shops, even with regard to Conscience? —
 “ They have no Ecclesiastical Judicatory, just
 “ or unjust, that they can so much as pretend
 “ in this Case. (*Vind. Depr. Bps. p. 30.*) And
 “ certainly their universal Practice sufficiently
 “ shews how far the Independency has prevail’d
 “ or not; and how many refus’d to join in Com-
 “ munion with those that invaded it, and de-
 “ fended that Invasion on Principle. “ Some
 “ pretend their [the depriv’d Bishops] Cha-
 “ racter was untouch’d, as if that would ex-
 “ cuse their Practice in joining in the Schism,
 “ from any Concern for defending the Lay-
 “ encroachment on Spirituals. (*Case in View*,
 “ *p. 66.*) “ Their being Bishops supposes such
 “ Doctrines, as make it impossible for the
 “ Church to subsist as a Spiritual Society,
 “ whenever the State is pleas’d to persecute it:
 “ (*D’s Vind. Depr. Bps. p. 29.*) And in his Let-
 “ ter to the Bishop of *Sarum*, “ I must deal
 “ plainly with you, that you may not interpret
 “ my Communion with you, as an Argument
 “ that I do believe you, and some others of
 “ your Brethren not guilty of the Charge of
 “ Heresy, now insisted on by some of my late
 “ Brethren as a justifiable Cause for continuing
 “ their

“ their Separation from you, and those of your
 “ Brethren, who are concern’d in this matter.
 [Yet at the same time he voluntarily becomes
 guilty thereof by Contagion in Communion,
 and also owns it *a justifiable Cause* not to do
 so.] “ Your Desertion of the Church’s Do-
 “ ctrine of Non-Resistance has formerly been
 “ judg’d by your self Heretical, and your Do-
 “ ctrines concerning the Church’s Dependence
 “ on the State, are fundamentally destructive
 “ of all those Principles on which the Primitive
 “ Church subsisted as a distinct Society in the
 “ midst of the severest Persecutions. Nor can
 “ I deny, but that Heresy maintain’d and un-
 “ repented of, justly deserves the Sentence of
 “ Excommunication. *Deserves it!* Yes, and
 he might have consider’d, that the Law (made
 by the Synod) denounces it too against every
 really guilty Person. As a Parishioner is ex-
 communicated before the Vicar reads it in the
 Church; so a guilty Bishop may be excom-
 municated, in some sense, by the *ipso facto*
 Sentence of the Synodical Law; before the
 Judge does publish its Sentence, he is certain-
 ly condemn’d by the Legislators, the Supreme
 Authority. What Superstition is it then to in-
 sist on the publishing by a Judge, to the sub-
 version of the Law it self; unless it was un-
 certain whether the Person be guilty? for
 which reason alone the Law requir’d the De-
 clARATION

claration of a Judge, to preserve the Innocent. But when any Bishops are notoriously guilty of Heresy, *and Heretical Desertion of the Church's Doctrine*, and are most manifestly so to all Men; if the Sentence of the Law is not pronounc'd by a Judge against their Persons, they having assented to their Law, and the Holy Scripture, that condemn guilty Hereticks, are they not self-condemn'd by their own Laws, and have *cut themselves off from the Communion of the Church by their own Act?* as he elsewhere affirms. A Man that is an Heretick, after the first and second Admonition, reject: knowing that he that is such, is subverted, and sinneth, being condemned of himself. [as hence appears may be, without a judicial Inquisition and Sentence to find and judge him guilty.] *Tit. 3. 10, 11.* Are not then all Catholick Bishops (and by consequence with them all Catholick Subjects) oblig'd by this Precept to reject and refuse him their Communion? And are not such Bishops hereby excluded from Catholick Communion, without the formal Sentence of Excommunication. And that very justly, if they had been guilty (according to his Charge (of such *Doctrines concerning the Church's Dependence on the State, as are fundamentally destructive of all those Principles on which the Primitive Church subsisted as a distinct Society in the midst of the severest Persecutions?*

cutions? By which Charge does it not appear, that himself thought *our Principle of the Independency* has not prevail'd, but rather the contrary Principle?

G. p. 71. Yet I am withal aware that these Subterfuges are sufficient for renewing the like Practices of Lay-Deprivations, and of erecting opposite Altars, as often as the Lay-Power pleases. If, even they, be allow'd sufficient to excuse the present Schism, and to pass into Precedents for future Ages. And, if so, it will be of the same importance, for the publick good of the Church, to enter our Protestations, against these Arts of defending the present Schism consistently with the Doctrine of Independency, as against the Doctrine of that smaller Number of them, who directly defend the Right of the Secular Authority over that which is purely Spiritual. For it turns to the same account of Mischief, on whether of these two sorts of Principles, our present Practices may turn into Precedents for future Schisms, in defence of Laical Encroachments.

A. If these Subterfuges are sufficient for renewing the like Practices of Lay-Deprivations, and of erecting opposite Altars, as often as the Lay-Power pleases; are they not Principles against the Independency? How then has the Doctrine of Independency universally prevail'd? especially since it turns to the same account of Mischief, on

whether of these two sorts of Principles, our present Practices may turn into Precedents for future Schisms, in defence of Laical Encroachments. So that himself owns, 'tis necessary to enter our Protestations at least against them. Yet who has done even that? But entering our Protestations only, before the depriv'd Fathers were deceas'd, was not thought sufficient by Mr. D. to secure us from the Contagion and Guilt of the Injury done the depriv'd Bishops, without a Separation from that Communion; and is it alone now thought sufficient to free us from the Contagion and Guilt of such Injury thereby done the Church, (till Restitution) as himself owns may endanger her very Being under a Lay-enemy?

C. p. 72, 73. Why then, may some say, will not our Concern against these Defences of the present Schism, oblige us still to continue our opposite Communion, for the maintenance of Catholick Unity in opposition to those applicatory Principles to present Cases, which will as effectually authorize future Schisms, as if the Sacred Power was made immediately subject to the Civil Magistrate? [very true.] These applicatory Principles, for excusing the present Case from the imputation of Laical Encroachment, will indeed put it in the Power of the Lay Magistrate, to renew his Invasion as often as himself pleases. For they

they will still serve to excuse the Diocesan Subjects in withdrawing their Obedience from their Bishop, [Invested with the Authority of the whole College in that Diocese,] if they be allow'd as sufficient to excuse them now. [So far right.] But they are not so likely to turn into constant Principles for making and abetting Schisms, as if the Dependance of the Sacred on the Lay-Power had been defended in express Terms.

A. Not so likely to turn into constant Principles! What then, if they will effectually authorize future Schisms, and put it in the Power of the Lay-Magistrate to renew his Invasion as often as himself pleases? Is not that enough? Besides, has not the Dependance of the Sacred on the Lay Power (with respect to District-Right) been defended in express Terms by some, and oppos'd by none? As he elsewhere owns. "St. Augustine observes, that Schisms generally end in Heresy: that is the natural Consequence of defending it, as our Adversaries do by Principles. (*Vind. Depr. Bps. p. 24.*) Nay, suppose, some not to defend it; "Their good will to the Church, [will avail nothing, if they] "favour Evasions, which will make their well meant Doctrine of the Church's Independency in general insufficient to preserve it against a persecuting State, "whenever that State shall endeavour to ruin

“ that Church for which they own themselves
 “ to have a real Zeal. (*Case in View*, p. 78.)
 But lastly, why are not *those applicatory Principles* as likely to make more Schisms as this, unless they were renounc'd now? And till they are, why will not our Concern against them oblige us still to continue the maintenance of *Catholick Unity in the one Catholick Communion*, tho' it be *opposite* to all other?

C. p. 74, 75, 76, 77. Our Adversaries Zeal in maintaining the Independency, will considerably contribute to discover to them the Errors of their present Defences; when they shall sedately consider, how little the Assertion of the general Doctrine of Independency can avail for securing the Church's Peace against future Schisms, if such excuses as these may be allow'd, for gratifying a persecuting Prince in withdrawing their Obedience from their Bishop, [and the whole Episcopal College by whose Authority he acts in his Diocese,] which will serve in all like Cases of Laical-Encroachments, as well as they can be pretended to do now. No persecuting Power whatsoever can for the future ever reach the Episcopal Character, nor hinder that Right which our Adversaries allow our present Fathers in the Catholick Church, notwithstanding their Deprivation. Nor need they ever desire it, if their Act may alone suffice for depriving Bishops of any District

District in their Dominions, and absolving all the Subjects of such Districts from their Duty to their Bishops in the same Dominions. That is alone sufficient to dissolve the Churches in their own Dominions, if they dissolve all Spiritual Government within them, by depriving all the rightful Bishops in them, [of the Subjects Obedience.] By this Principle they can deprive, and make the Sees vacant and destitute of Government. And they may as well keep, as make them vacant, if these Reasonings be admitted. Which must dissolve all the Churches in such Dominions, as Churches are Societies, if no Subjects in those Dominions, be oblig'd to pay any Duty to their Ecclesiastical Superiors. These applicatory Principles, if they may be reckon'd on, can never fail of ruining the National Church, whenever it shall be persecuted by the entire Legislative Power of the Nation. [Is this a Proof of their Zeal for *the Independency?*] The Inconsistency of these two sorts of Principles, one destroying the Security given by the other, may very probably hinder their present Practices from passing into a Precedent, as being Contradictions. And when they shall review it, we have more reason to hope that they will abide by the Doctrine of Independency.

A. Then it seems at last *the Doctrine of the Independency* has not so far prevail'd, as to give

us hopes they will abide by it, till they shall have review'd the Inconsistency of these applicatory Principles which are directly against the Independency. When they do abide by the Doctrine of Independency in Principle and Practice, they will so far be free from Schism from the Church: and if they would do so now, we should have more reason to hope, that they would do the same again. But if the Inconsistency of these two sorts of Principles do not hinder their present Practice, how will it hinder it from passing into a Precedent, that the like may not be done again? And should that indeed not hinder it from passing into a Precedent, how finely has Mr. D. provided for the Security of the Independency, that fundamental Doctrine of all other Catholick Doctrines? How can it be secur'd against those applicatory Principles, but by the Defence of some Bishops or Bishop refusing to join in the Contagion of those Principles by Communion with them? Which would be a Precedent counterballancing the Precedent of their present Practices, as the only Expedient to hinder them from becoming so.

C. p. 79. Protestation is the uttermost Security that can be gain'd for an oppressed Cause by so small a Party as we are.

A. Did the Catholicks (when a small Party) think so under an Arian Bishop, tho' otherwise a rightful Possessor; or under a Novatian or Donatist Bishop when alone in Possession?

No,

No, they always kept to Catholick Unity and Communion, and did not follow that of the Incumbent. They never thought that the Protestation of a few Subjects, unless some Bishop espous'd their Cause in a visible and publick Separation from such Communion, was the uttermost Security that could be gain'd by adhering to a foreign Catholick Bishop that would so espouse it, and preserve the true Episcopal Succession from being lost by any Lay-Encroachments or Attempts. For otherwise, notwithstanding such Protestation, according to his own Principles, *a Church may be ruined*: but by keeping stedfast to the old true Catholick Communion it cannot; there will still be a true Church. But in case all should desert that Communion; if the Vulgar may (as they are apt to) judge of Men's Principles by their Practice; where would be the visible Church that defends *the Primitive Doctrines of the Independency, Passive Obedience, Non-Resistance, and Catholick Unity*? Yet whilst the old Communion continues, is there not a visible Church that does do it in perfect Catholick Unity both in Doctrine and Worshipp?

The Church of *England* was never tainted with Disloyalty in Principles or Practice, especially since the Reformation. And tho' some (in the Reign of King *Charles I.*) that pretended to be her Members, were guilty thereof;

thereof ; yet there still remain'd a Church as a Society that was not, and disown'd them. But if all the Heads should become infected therewith, and all the Subjects own them for their Principles of Unity, and join in Communion with them ; that noble Character would be lost in our Church. And tho' some Members might not be actually guilty, only by Contagion ; yet without a Separation, in such a case, it could be no longer said, there is left a Church in *England* not tainted with Disloyalty ; and who could say, he was not a Member of a guilty Church ? Yet in such Case, by a Separation under some Orthodox Bishop (and thereby only) she would still be preserv'd untainted, how small soever she may be ; and her Members might still boast of the unshaken Loyalty of their Church.

C. p. 79. I am sure we can do more for recovering it [an oppress'd Cause] by adding our selves to the greater numbers of our Adversaries, than by being confin'd to our own ; and more yet by winning, than by provoking them.

A. *Do more for it by a'ding our selves to our Adversaries who are against it, how can that be ?* Going over to a steady Adversary in order to overcome him, I doubt, is neither wisely nor bravely defending a Cause ; nor did the Primitive Christians ever so defend Christianity. We do not desire to *provoke them* by any means we can

can avoid, unless we will give up our Cause in all Appearance; we rather think we should *provoke them* by presuming, contrary to their Order, to join them by a broken, disjointed Re-union; unless we could agree with them in Opinion and Practice, and not have a Division in the midst of Devotion, where the Church requires Unity and Uniformity in all her Service. We cannot think this would be the way to *win them*, and *recover our Cause*; but the more to *provoke them*, by how much the nearer we approach to affront them, even to their Faces in their Congregations, by opposite Actions condemning theirs, at the very same place and time they are acting.

C. p. 79. This I take to be our true Duty, as our Duty is to be determin'd by Principles, from whence the certainest Rules may be expected for Decisions of this nature.

A. I cannot imagine how he came to take it so. Is not this *the certainest Principle and Rule of our Duty*, to keep close to the Unity of the Catholick Church in Doctrine and Worship, and thereby keep within her Communion, tho' others, whosoever they be, should not?

C. p. 79. The Reasoning from Facts, without regard to Principles, is very uncertain and litigious.

A. Yet we may in some Cases incur no less Penal-

Penalty for our Union with those that are guilty of some illegal Facts, than with those guilty of uncanonical Opinions.

If we join with one guilty of Schism in Practice, tho' he denies the Principle, yet we shall be guilty of Schism by Communion with him.

C. p. 80. Yet, tho' that Topick had been admitted of Reasoning from Facts actually approv'd by the Church, as presuming that they would not have approv'd them, unless they had known them, to be perfectly conformable to their Principles: I cannot think it justifiable to keep up a Separation (where no fundamental Doctrine is concern'd) by recourse to Foreigners.

A. Are not *the Independency of the Church, Passive Obedience and Non resistance, Fundamental Doctrines*, as himself has often affirm'd; and the "Independency, Fundamental in a
" higher Sense, as Fundamental to other Fundamentals? (*D. Vind. Depr. Bps. p. 31.*)
Again, "Your defending your Schism by
" Principles will so fundamentally subvert the
" Church, as a Society, that it must be as fundamental an Error as the denying any one
" Article of our common Faith would be, and
" as properly Heretical. (Mr. D's Letter to Dr. Still. MS.) Is there then no *Fundamental Doctrine concern'd* even in his own Judgment?

C. p. 81.

C. p. 81. We have abjur'd our Dependance on any foreign Prelate whatsoever.

A. Yet a little above, in his 63 Page he says, *the revolting of domestick Subjects to foreign Bishops, and continuing the Separation by the Help of foreign Bishops, is defensible in some Cases.* But suppose the Succession of our Bishops in England had been extinct, as it was pretty near it before the Restoration of K. Charles; or that all the Bishops, to gratify K. James, had deserted the Communion of the Church, and turn'd Roman Catholics; might not (nay, ought not) the foreign Catholick Bishops have taken care of the Protestant Catholick Subjects, and ordain'd new Bishops over them? I hope we have not so abjur'd foreign Bishops, in such a Case, as to abjure our selves from the Catholick Church diffusive, from all foreign Orthodox Episcopacy, in which being but One; they and our Orthodox Catholick Bishops are united. If we had no Bishops here, we can claim a Right to the Communion of the Catholick Church, and a Right to the Patronage of her Bishops over us.

C. p. 82. Nor can I find that the Catholick Church ever doubted of the Right of a single Person in a vacant See, after the Death of an injured Predecessor.

A. No? Did not *the Catholics ever doubt of it, in the Donatist and Novatian Schisms, &c.*
when

when they were alone in Possession? And did notwithstanding ordain Catholick Bishops into their Sees, or, at least, keep the Succession and Possession of the Spirituals thereof in their own Power, till they were reconcil'd and re-admitted to the Communion of the Church, and the valid Authority of the Catholick College of Bishops deriv'd to them, as himself owns was done in *Constantinople*, (*Case in Fact* p. 31, 32.) "The Catholick Title was continued for some Generations in *Constantinople*, "as well in opposition to the Schismatical *Novatians*, as the Heretical *Arians*. (*Id. Independ. of Clergy*, p. 65.)

C. p. 82. Nor farther, that they ever made a scrupulous Retrospection in the validity of the Acts of injurious Predecessors (whilst the rightful Proprietors were living; and the Schism yet depending) after the injurious Possessors were alone possess'd, without any Rival, who could pretend a better Claim.

A. This is as wrong as the other, the quite contrary being true, as himself owns in the Case of *Arsenius* and *Niphon* of *Cyzicus*, (*Vind. Depr. Bps.* p. 39.) And did not the Catholicks always look on their Acts in Schism as illegal and imperfect, yes and altogether invalid as to the true Communion, which they were out of; till the Church receiv'd them into it, and confirm'd their invalid Acts by the Authority.

of

of the Catholick Church, and thereby procur'd them a Ratification in Heaven. And this must be done with a *Retropection on the Invalidity of their Acts*; otherwise why did they insist on such Confirmation as necessary? So that they were not *without any Rival, who could pretend a better Claim* than they, till their Reception and Confirmation by the Catholick Church.

C. p. 84, 85. The *Joannites* in the East had many Bishops of their Party, who would none of them communicate with those who were substituted in *St. Chrysostom's* Throne of *Constantinople*. But the West were unanimous in asserting his Right. Yet they never offer'd to fill his Place after Death, which was in the Year 407, tho' his Name was not restor'd into the Diptycks by *Atticus* till the Year 412.

A. Nor did they own *Atticus* for a valid Bishop, much less Bishop of *Constantinople*, during that time. They did not fill his place, as they used to do in such a Case in the *Novatian* and *Donatist* Schisms, as Mr. D. very well knew, but waited his Repentance; because *Atticus* was otherwise Orthodox, and a good Man, and not of the Party of the *Donatists*. Yet they would not own him a Bishop of the Catholick Church, nor admit him to her Communion, till he had restor'd *St. Chrysostome's* Name among the Bishops
I of

of *Constantinople*, and thereby own'd him rightful Bishop to his Death; and consequently that he receiv'd no Right from the Schismatical Investiture, nor by Possession of the Throne; but that it was in the Power alone of the Catholick unschismatical Bishops to derive it to him; the See being devolv'd to them at the Vacancy by *St. Gbryfastom's* Death, and for five Years kept in their Possession as to Spirituals.

G. p. 85. And when that Honour was done to his Memory, they were immediately reconcil'd to the Communion of *Atticus*, without any scruple of his Orders receiv'd in the Schism; or any Retrospection into his Acts, or the Acts of his Predecessor *Arsacius* whilst the Schism was yet depending.

A. They were never reconcil'd to the Communion of *Atticus*, but he reconcil'd and admitted into theirs, with Allowance of the valid Episcopal Authority then from them. 2dly, They did not deny him to have received the invalid external Form of Orders capable of being ratified with their Authority by their Consent; yet they deny'd him to have received the internal valid Power, or to have any Episcopal Right in the Catholick Communion, till he was re-admitted into it; and allow'd that Power by the Church; or that he could have any District Authority in Spirituals, till he received

ceived it from them by their Consent; by whose unanimous Consent *his Acts* also in *Schism* were legitimated and confirm'd, and thereby alone obtain'd the celestial Ratification.

G. p. 85, 86. But when the Breach was thus made up, the postnate Confirmation (of what had formerly been transacted by the Schismatics alone) by the Consent of those who had been formerly divided [one to receive the other to give,] was thought sufficient to oblige God to ratify in Heaven what they were agreed on in Earth, after they were so agreed, tho' it had not so oblig'd him originally before the several Parties were indeed so agreed.

A. Hence it is plain by his Concession, that *Atticus* obtain'd the celestial Ratification of the Episcopal Power, and also the District Authority only by the *Postnate Confirmation* by the *Consent* of the Catholick Bishops, and not before; tho' he was alone without a single Rival. I say, by the Consent of the Catholick Bishops only: for what could the Consent of the Schismatics, who therefore had no Authority in the Church, add to the Confirmation or Derivation of Authority to themselves? Only their Submission to, and Agreement with, the Catholick Bishops, made them capable of their *Consent* or *Postnate Confirmation*.

C. p. 86, 87. So in the Year before, 411. in the Collation of *Carthage*, G. 16. The Catholics make a Proposal to the *Donatist* Schismatical Bishops, either to govern in common with them their separate Flocks, so that the whole Bodies might unite under the Survivers; or for both the opposite Claimers to resign, and make way for a third to unite them. Plainly thereby implying, that they did not think themselves oblig'd to continue the divided Succession, when they might have an united Communion under a single Possessor, Orthodox in the Faith, [by renouncing Schism too; or under two Possessors, if so agreed; as the See of *Antioch* under *Meletius* and *Paulinus* by Agreement, and the Survivor then made Successor in Reversion to the other's Part, for all to unite under at last; just as the Catholics proposed here.]

A. But then this Proposal was on condition that the *Donatists* would renounce their Schism and Nullity of their Succession, and come over to the Catholics, and derive their Succession from them. Otherwise they thought themselves oblig'd to continue the divided Succession (as he calls it) as plainly they did, upon the Refusal of their Offer, in defence of the rightful Succession; the Conveyance whereof being lodg'd in them alone. Wherefore to call it a divided Succession, as if the Schisma

Schismatical *Nullity* could be call'd a Succession, seems strange.) However this Proposal shews that the Catholick Bishops could give them Authority, not only present, but also in Reversion over their own Possessions, in Case they surviv'd them. How then could Mr. *D.* elsewhere say, (contrary to his own frequent Assertions) that the Catholick College of Bishops could not make their Successors, if Schismatical *Donatists* or *Novatians* were in Possession only of the Episcopal Thrones? If *Schismatics are nulli*, as he has more than once asserted, could they not make Bishops where there are none? and that to continue the Catholick Succession, and preserve the Episcopal Power from being lost in a Nation for want of the true Church's Authority deriv'd (and restor'd) to procure the celestial Ratification and Re-union with the archetypal Church?

C. p. 87. Implying withal, that they did not scruple the ill schismatical Title, by which they were first possess'd, when they should obtain a better Title by having their Possession receiv'd unanimously.

A. Not scruple an ill Title! Yes they did, and made them get a better. And if they could obtain a better Title, the other however was not very good; and if it had been good, there was no need of obtaining a better; which I think, shews *they did scruple the ill Schismatical Title*

Title, and would not own them till they had a better from legal Authority; which, it seems, they were to obtain by being receiv'd unanimously.

C. p. 87. Nor did the Catholics insist on any new Investiture, in case the *Donatist* Bishop should survive,

A. Not on the external Formality; but the Catholics Admission of them as Bishops, which they insisted on, would have been a new Investiture of legal Authority; or their illegal invalid Investiture would have been invested with an authentick Ratification. They would certainly have been re-invested with the Privileges of the Catholick Communion, which they had lost; and also with legal and valid Episcopal Power, and District Authority in the Church, which they had not before, nor could have, but from the Catholick Bishops not involv'd in the Schism.

And herein the regnant Church agrees with us, if the Bishop of *Sarum* speaks her Sense in his Letter to Mr. *Dodwell*; where speaking of Bishops which Mr. *D.* call'd Intruders, he says " If their Orders were Nullities at first, no future Contingent could make them valid. Meaning particularly, no Contingent Mr. *D.* insisted on, no Pretence of Possession without Rivals, &c. So that they do not thank Mr. *D.* for his Arguments on their behalf, making their Titles so precarious, as to have no better Right

Right and Tenure than that of invaded Possession and State Investiture.

C. p. 90, 91. The Schism continued in *Antioch*, till God was pleas'd to make way for Peace by the Death of *Evagrius*. Then, and not till then, by the Mediation of the Emperor and the Bishop of *Alexandria*, and an honourable Embassy from *Flavianus* himself, first the Western Bishops, and (by their Example and Influence) the Eastern Bishops also, were united in owning *Flavianus*, about the Year 398, after about 36 Years Continuance of the Schism. And the Reason is given, that I have been insisting on, that there was then only one Possessor. So *Sozomen* expressly; κατὰ τὸτο, οἶμαι ὁμαρπεῖς ἐγένοντο τοῖς Ἐπισκόποις αἱ διαλλαγαί, μηδ' ἐνὸς ἐναντίου ὄντος.

A. Here Mr. D. either mistakes, or abuses *Sozomen*. For 'tis plain, the Schism continued, and was not closed immediately upon the Death of *Evagrius*; but the Bishops still disown'd *Flavianus*, till they were over-persuaded by the Emperor, St. *Chrysostom*, and the Bishop of *Alexandria*, and his own Submission and Intercession; yea, (as himself confesseth) *the Eastern Bishops by the Example and Influence of the Western Bishops*, and not only by his being alone in Possession without any single Claimant opposing it. " The Perjury, by which *Flavianus* had accepted of the abjur'd Bishoprick, " possess'd most of his Collegues minds against " him

him, and made them very difficult in admitting his Succession, p. 90. By whose *Admission* alone, we may observe he at last became a rightful Successor. We may also observe from *Sozomen*, that the Reconciliation was made by the Catholick Bishops (τοῖς Ἐπισκόποις) But that Act of theirs would have been vain, if he had a Right to that See without it, by being alone there without a single Rival. There being indeed no rightful Pretender, but the See truly vacant, and consequently in the Power and Possession of the College of Bishops as to Spirituals, it was *easy* for them to admit *Flavianus* (upon his Submission) into their Communion, and also to invest him with their Authority; or to *supply the Vacancy in another Successor*, (p 91.) as soon as they should please. But what is all this to Possession alone giving Right? It plainly shews the contrary. That there was then only one Possessor (or rather no one,) was not the only Reason (nor does *Sozomen* give it as the Reason) why the Bishops were united in admitting *Flavianus*. For why then were they not united in admitting *Atticus* after *St. Chrysostom's* Death? The reason is plain; *Atticus* (besides his not putting *St. Chrysostom's* Name into the *Diptrycks*) would not submit to own his Authority invalid without any farther Addition from the then legal Consent of the Catholick College

lege of Bishops; unwilling thereby to own himself an Intruder. But *Flavianus* sought their Consent by his honourable Embassy, as conscious that his invaded Possession needed it. *Sozomen* says the *Reconciliation was easy*, because none oppos'd the College, not *Flavianus* himself, as *Atticus* did. But tho' it was easy, it was, it seems, necessary to give him a Right on Catholick Terms. If *Flavianus* was a legal valid Bishop, and rightful Possessor, because alone in Possession from a Schismatical Investiture, what need was there of the Emperor's and of the Bishop of *Alexandria's* Mediation, and of his own honourable Embassy and Submission to persuade the Bishops to accept and admit him; but that the Right to the See, upon the Vacancy, was in the College of Bishops, and not in himself, till they deriv'd it to him by their Consent, upon his Repentance for breaking Catholick Unity, and violating the Church's Discipline? In *Atticus's* Case there were two Claimers, the College of Bishops and *Atticus*, who insisted on his Right without submitting to theirs; but till he did, he was not own'd for five Years time. And that this was the chief Reason of their disowning him, is plain from *Cyri's* Letter to *Atticus*: "It was (as *Gerontius* has rightly express'd it, p. 70.) the Preservation of the Succession, a necessary Assertion of the Right, which

“ which the Episcopal College had to take in
 “ Members, or shut out Intruders. So that
 ’tis not the pretended Possession without a
 single Rival, makes a Schism cease; but the
 renouncing it, and obtaining Authority from
 the Catholick unschismatical College after the
 See is fairly vacant. *The Reconciliation then
 becomes easy*, when that is submitted to. The
 want of that alone hindred the Reconciliation
 of the *Donatists* upon the Proposal of the Ca-
 tholick Bishops.

C. p. 91. This Precedent we shall have for
 re-uniting, when our Schism shall be reduced
 to single Possessors, agreeably to the Sense of
 the two great Bodies of the Eastern and Western
 Churches, who were all concern’d in that Di-
 vision and Union, in that early Age.

A. Yes, if they send an Embassy to the Ca-
 tholick Orthodox Bishops, as *Flavianus* did;
 or, without that, only desire a Reconcilia-
 tion on Catholick Terms; and thereby obtain
 Readmission to Catholick Communion, with
 Episcopal Power, and a Right to the Sees, by
 the unanimous Consent of the not-fallen Ca-
 tholick Bishops. Otherwise this Precedent is
 no more for him than any other, but wholly
 on our side, as all other are. For after the
 Death of *Evagrius*, they still disown’d *Flavia-
 nus*, as appears by the Mediation, and also the
 Embassy and Submission from *Flavianus*; till
 he

he receiv'd Authority from the Consent of the Catholick unſchifmatical College. And this is all we pretend to, and perfectly agreeable with it.

C. p. 91. They might eaſily have ſupply'd thoſe Canonical Defects in the Conſecration of *Evagrius*, if they had thought it becoming them, without the aſſiſtance of Foreigners, either in his Perſon, or in another Succeſſor after his death.

A. If they might have ſupply'd them in a Succeſſor after his death, then the Power it ſeems was in them to do it, notwithstanding *Flavianus* was alone in the pretended Poſſeſſion. How then does ſuch a Poſſeſſion give a Right, and make the Schiſm ceaſe when the Rival injur'd Biſhop is dead? The College thought not ſo, in this Caſe; nor did they ever think ſo, in the like Caſe, from the time of the Apoſtles down to ours: But the Catholick Biſhops did ever ſupply the Vacancy and the Succeſſion themſelves, after the death of the rightful Incumbent, as their juſt Right, till they diſpos'd of the Succeſſion to one, as they did at laſt to *Flavianus*; they might as well have given it to another, if they had pleaſed, and rejected him; as was often done in the like Caſe, when the Pretender would not renounce his ſchifmatical Investiture; as was ſhewn before. And " in the many Sees of *Africa*,
" the

“ the Catholicks took no more notice of the
 “ Donatist Incumbents, whenever a Predecessor
 “ for fail’d, than the Donatists did of the Catholick
 “ Bishops of the same Sees. (Dod. *In-*
depen. of Clergy, p. 67.)

C. p. 92. But they were sufficiently sensible
 that the intermeddling of *Lucifer*, a Foreigner,
 had first made that Schism.

A. Whether *Lucifer* made the Schism, or
 rather *Meletius*, by not (as yet) refusing the
 the Arian Communion (as well as he did the
 Arian Faith,) is a Matter in dispute: For *this*
made some (the Eustathians and most of the
 Orthodox Bishops) *scrupulous of his Communi-*
on before Lucifer Calaritanus came to Antioch,
(p. 88.) and consequently caused the Schism
 before. However, if *Lucifer* had made it by
 constituting *Paulinus* there, yet he would not
 have made it because he was a Foreigner only,
 as Mr. D. would insinuate: For it is certain
 that St. *Chrysostom*, *Athanasius*, *Eusebius*, *Eusta-*
thius, *Hilary*, &c. did the same. “ *Lucifer*
 “ *Calaritanus*, a Western Bishop, had no Ju-
 “ *risdiction at Antioch*, yet finding no other
 “ Bishop there but such as he judged Arian,
 “ if not in Opinion, yet at least in Commu-
 “ *nion*, as having been consecrated by those
 “ of the Arian Communion, he took upon
 “ him to substitute another, and to assist at
 “ his Consecration, as a Catholick Bishop
 “ may

" may do where there is no Bishop at all ; (*D. Vind. depr. Bishops*, p. 68.) or none but an heretical or schismatical *Nullus*. And *Paulinus* was own'd by all the Western, and by *Athanasius*, and many of the Eastern Bishops.

The truth of the matter is this, There was a Schism, before *Lucifer* came, between the Orthodox Catholick Communion, and the *Meletians*, Orthodox in Faith, but not so as to the Catholick Communion, till *Meletius* wholly rejected the Arian Communion, and return'd solely to the Catholick. Yet if *Lucifer* had not been so hasty in consecrating *Paulinus* to that See, the Schism might have been heal'd (upon *Meletius*'s entire Return to the Catholick Communion) by the Reception and Ratification of the Catholick Bishops. But it is sufficient for my purpose, that no Catholick refus'd *Paulinus* for this Reason (*viz.*) because he was consecrated by a foreign Bishop.

G. p. 92. Which [Schism] they thought it more becoming them to heal than to perpetuate it.

A. No doubt of it, so soon as they could ; so soon as *Elavianus* would submit to the Church's Right, the Right of the Catholick College of Bishops over that See, and disown any from his schismatical Investiture and invaded Possession ; own it to be wholly in them, first, to readmit him to Catholick Communion ; secondly to confirm his invalid external Form
of

of Consecration, by deriving from them the intrinsick Episcopal Power; and thirdly, to lodge in him their Authority over that See. But before he did this they could not heal the Schism, could not invest him with the Church's legal valid Authority, if he would not have submitted to receive it, and so long they could not communicate with him without the Contagion of his Schism. For, says Mr. *Thorn-dike*, (*Forbearance*, p. 171.) " Shew me any
 " Heresy or Schism ever restor'd to the Church,
 " without renouncing the same, and I will
 " confess, that the Church itself turn'd Here-
 " tick or Schismatick from the same date. (*Id.*
 p. 33, 34.)

C. p. 92. Nor did they afterwards insist on their Canonical Exceptions against *Flavianus*, when he was alone, which they thought sufficient to justify their Denyal of their communicatory Letters to him, while he had a Rival.

A. Yes, and afterwards too (the College being then his Rival) till the Reconciliation, and Reception of him into their Communion and Society, with their Ratification of his invalid Orders, and of his pretended Diocesan Authority; which alone supply'd all Defects, and made it needless any longer to *insist on their Exceptions against him.*

C. p. 92. Why so, if they had not believ'd his Title to have been thereby made better and less exceptionable?

A. *They did not believe his Title to have been thereby made better and less exceptionable at all; only now capable, upon his Repentance, of being made better, by his receiving Episcopal Power from their Confirmation, and also Authority from them to fill that See, being vacant.*

In a Catholick real Bishop three things may be observ'd; First, The Validity of his Power simply consider'd, which is *Jure Divino* very great; by which he becomes a spiritual Prince in the Church. Secondly, The Extent thereof, which is likewise *Jure Divino* over the whole Catholick Church on Earth; as it was in the Apostles. Thirdly, His peculiar Authority over a particular District only. Out of Schism, the two former are given from God by his authoriz'd consecrating Vicegerents; as it was in the Apostles by Christ. The last is of human Institution, and given, by the Election and the Investiture of the Episcopal College, to a Bishop, as the Deputy Governour in that District for them all; it being given to him in Charge by them all. But in Schism neither of these is given, nor any more than the external invalid Form of the two former, without any Validity or Extent

tent of Power at large; (as the outward Element in Baptism without the inward spiritual Grace, or as the Bread and Wine in the Lord's Supper to an impenitent Receiver, without the Body and Blood of Christ.) And only the external invalid Formality of the third by schismatical Investiture, without any real Authority. But the two first, the Validity and the Extent of Episcopal Power at large, must be given afterwards from the Catholick Church, by her Ratification of that external invalid Form: And the third, by the legal Consent of the Catholick College, equivalent to a new Election and Investiture. Here then in *Flavianus*, neither the external invalid Form of Consecration, nor the mere external Formality of Investiture, could receive any Addition at all, by the death of his Rival, without any Act or Consent of the true Church; admitting him and deriving it to him, making his empty Character legal and valid, and thereby obtaining the celestial Ratification; which till then was wanting. His Title therefore, by being alone, could not become *better, or less exceptionable*. For without a Reception into their Communion, and into the Society of the College, he could not have so much as the valid Episcopal Power, nor consequently any share in the Devolution of Vacancies; much less, without their Consent,
could

could he have a peculiar valid Title to that See. Surely then a Diocesan Bishop, that by lapsing into Schism loses his Unity and Communion with the Catholick College, and thereby not only his Deputyship, his district Authority in that Communion, but also his Share in their Right over Vacancies and Government of the whole; can never recover it again, unless he renounces his Schism, and is thereupon by Consent re-united to the Catholick Communion and College; or unless the Church returns to him, and itself becomes schismatical.

If it be asked how a Novatian invalid Baptism, or Ordination, could become valid without repeating the Form? I answer; To make Baptism a valid Sacrament, it must have its four essential parts; three external, wherby we receive one internal, the Chief of all. Our Catechism mentions three, and necessarily implies the fourth; viz. 1. *The outward visible Sign*; 2. *The inward spiritual Grace, given*, 3. *In the Name of the Father, and of the Son, and of the Holy Ghost*; 4. by a Messenger sent by Christ with a Commission *in the Name of the Father, and of the Son, and of the Holy Ghost*, to give it. Now tho' the external Rite be perform'd in Schism according to its three essential Parts, yet it is not the Sacrament of Baptism, because it wants one and

K the

the chief essential Part, *the inward spiritual Grace*, since the Episcopal Administrator, through his Scism, wanted the Spirit of Power, to convey the Spirit of Grace with the external Rite. If then Imposition of Hands on a Convert (having thus receiv'd the external Rite in Schism) gives him the Spirit (according to the Council of *Nice*;) certainly it gives the benefits of the Spirit, *the inward spiritual Grace*, wanting before to the external Rite he did receive; when therefore the Church by Imposition of Hands has given the Spirit of Grace, such Baptism is compleat in all its essential Parts; for now no one is wanting. And when she has so given the Spirit of Power to a schismatical Bishop returning to the Church, (Imposition of Hands being the Symbol of giving the Spirit, whether of Grace or of Power, &c.) his Consecration in Schism before invalid, for want of the Spirit of Power convey'd, now becomes compleat in all its essential parts, all having been given him. And this is agreeable to the first Council of *Nice*, in their Reception of the Novatians, *Canon VIII.*

C. p. 92. Nor did they ever pretend any need of any new Investiture.

A. Did they then think the schismatical Investiture valid, which Mr. D. has so often deny'd? Or that an illegal Act (so far as illegal) could

could become valid, before the legal Authority made it so? Which when done by it, is such a new Investiture of valid Authority, as it had not before, nor could have, but from the legal Authority only: Which when it had obtain'd, to what purpose should *they pretend any need of renewing* the external Formality of *Investiture*?

C. p. 92, 93. But immediately granted their Communicatory Letters to him, as soon as they were satisfied that it was for the Interest of the Catholick Church, and its Peace, that they should do so.

A. Not so *immediately* neither, not before the Embassy and Mediation; not before the Agreement and Reconciliation thereby made; not before *Flavianus* sought their Ratification, which was the same, with respect to the internal Validity, as a new formal Consecration, and a new formal Investiture. Nor would their Mediation, and *the Peace of the Church* have prevail'd, unless *Flavianus* had submitted to the Rights of the Church in them to confirm his invalid Title; whose Rights they durst not yield up, and suffer to be lost, being the *Church's* chief Interest. Besides, without his Return, and their Reception of him, into the Church's Communion again, it was impossible he could be a Member of it, much less have any Authority in it, if he had

had any before: And then those Subjects, that Flock of Christ under him, must have suffer'd much for want of a Head that had the Consent of the Church, to oblige Heaven to ratify his Acts; nay, by complying with him, they must have been out of Communion with the archetypal Church.

C. p. 93. I do not indeed remember any Collation of new Power upon a Return from Schism, unless it may be thought so in the Case of the Meletians.

A. Any *Collation of new Power!* Did they then really receive it in the Schism? This is a Contradiction to all he has wrote on the Schism. The Church did not indeed use to repeat the external Form of Consecration given in Schism, but their Ratification thereof (which they always used to do *upon a Return from Schism*) was a *new Collation* of internal legal Power added to that external Form; like a rightful Prince's Ratification of the external invalid Form of an Usurper's Law, which alone can give it the intrinsic Validity and Force of Law. Besides, *if there was no Authority at all given in Schism*, as Mr. D. owns, there must be a *new Collation* thereof by the Church some way or other; or else they must continue without it. "Orders given by *de facto* Patriarchs, were often ratify'd upon a Reconciliation of the Schism. And even on the
" Death

“ Death or Resignation of the true Patriarch,
 “ not on account of the Validity of the first Act,
 “ but on account of the Ratification, either
 “ explicite or implicate, of the true Authori-
 “ ty, which gave a post-nate Right to what
 “ was originally invalid. (*Mr. D.’s Answ. to*
Bishop Still’s Queries, MS.) And consequent-
 ly gave a valid Power at large, and a rightful
 district Authority, which they never had be-
 fore. The same may be said of Bishops that
 once truly had Power, but laps’d into Schism
 by communicating with such, and so excom-
 municated themselves from the true Commu-
 nion, and thereby forfeited and lost their Au-
 thority in it to the Catholick Bishops still re-
 maining in that Communion, and had nothing
 left them but the external empty Forms of
 their Consecration and Investiture. Upon
 their Return to the Catholick Communion,
 their Authority must be again allow’d them,
 and their cancell’d empty Forms confirm’d, by
 the Consent of the Catholick Bishops, to re-
 gain the coelestial Union and Ratification.

But what if there be no Catholick Bishops
 to do this? What, not in the whole Catho-
 lick Church! This can hard’y be suppos’d a-
 greeable to our Lord’s Promise, *that the Gates*
of Hell shall never wholly prevail against her.
 But if this Supposition might be allow’d; yet,
 I suppose, there would be a Necessity, at least,
 of

of their Return to their old true Communion from whence they fell, before they can have any Authority in it. Whether God would ratify their pretended Authority any other way, than in the way he has appointed by his true Church, I shall not undertake to determine. 'Tis enough for us to believe that he will not, whilst there is any Catholick Bishop to do it.

C. p. 93. The Council of Nice decreed the Reception of them [the Meletians] to the same Honours in the Church which they had [invalidly] received in the Schism. But on that Condition expressly, that they should receive the *βεβαιώσεις* of a *μυστικῶς κατεστῶτος*.

A. Well, then I hope they receiv'd those Honours in the Church by that Reception of the Church, by her *βεβαιώσεις*, or Confirmation pursuant to the Decree. I say they hereby now receiv'd those Honours in the Church, and not before, nor otherwise really, but only in Pretence. For if they really had them otherwise before, the Condition of this Decree (to make a Ratification necessary) must have been needless and impertinent.

C. p. 93, 94, 95. But *Meletius* was also under an express Sentence of Deprivation. — In his Baptism, there was not only his own Act, devoting himself to the Divine Service, parallel

ralled to his own Act rescinding, what he had done there, by his Schism, which divided him from that same body into which his Baptism had incorporated him. There was also the Act of God's Minister authoriz'd by him to accept and ratify that solemn Dedication on God's Part, so as to oblige God also to ratify it in Heaven. This could not be so effectually repeal'd by his own Act alone of Separation, as it must needs be by a judicial Sentence of Rejection out of that same body by the same ministerial Authority. This ministerial Rejection obliged God in Heaven to reject him also, which must perfectly invalidate all his Acts as a publick Minister of the Christian Religion.

4. But does not a voluntary real Schism from the Church do all this, oblige God to reject him; &c. as was declar'd by the judicial Sentence of Deprivation? Otherwise that Sentence could not have done it without Cause, without the Cause that did it; as it could not to St. *Chrysostome*, *Athanasius*, &c. So that 'tis not so much the Judge's pronouncing that deprives, as the Crime condemn'd by the Sentence of the Legislators; against whose Laws a Judge can neither condemn the Innocent, nor acquit the Guilty; whose chief business is justly to judge, and declare whether guilty or not, and what Penalty the Law

has annexed to the Crime. . But to be sure God will ratify his own Laws and Penalties, whether the Judge does execute them or not.

But before the judicial Sentence, was *Meletius* still a Member of *that same Body* by vertue of his Baptism, notwithstanding *his Schism*, which divided him from *that same Body* into which *his Baptism* had incorporated him? If Schism divided or cut him off from the Body, he was cut off, what could a judicial Sentence do more; but only declare and certify it was so? Their Silence could not hinder his being so, but only involve themselves in his Guilt and Breach of the Law. “ He had divested himself of that Authority he had formerly by his own Act, and therefore had nothing more that could be taken from him by an Act of Government, and proper Jurisdiction over him. (*Mr. D.’s Answer to Bish. Still. 6 Qu. MS.*)

2^{dly}, Is not a baptiz’d Person admitted into the new Covenant, purely on Condition of Performance on his part, and is not Christ’s Ratification of the ministerial Act in Baptism only on Condition of that Performance? without which the whole Covenant there made becomes void and disannull’d; and our Lord can be no longer oblig’d to the Ratification thereof on his part, even without a ministerial Rejection, which indeed ought to be

be perform'd; but if unjustly neglected, he cannot be oblig'd thereby, but sure may reject such an one himself; (as well as he received the excommunicated Man, *John 9.*) Nay, according to the Tenor of the Covenant, he is obliged by his Justice and Veracity to do so. And therefore the Apostle bids us, *With such an one not to eat or communicate, (1 Cor. 5.)* I say, without the Performance of the Condition of the Covenant, the ministerial Act cannot oblige Christ, tho' with it it does. The total Neglect of the Condition infallibly cuts a Man off from the Covenant, as if it had never been made; but without the Neglect thereof, the ministerial Rejection itself cannot do it, and oblige Christ not to perform his part covenanted by the former ministerial Act. The bare external Form of Baptism may be allow'd to remain with a Schismatick, and so it does if he be judicially excommunicated. So that an excommunicate Person is always restor'd to internal Benefits, without reiterating that external Form. (By which it plainly appears, that the external and internal are separable, and may be distinctly given.) The Covenant then being utterly broken, and made void by Schism, (as well as by a judicial Sentence,) it must be renew'd by the Church and her archetypal Head, by Admission to the other Sacrament of our Lord's Supper; as
much

much as if the Schismatick had been judicially depriv'd by the Church.

Mr. D. says, *Schism divides a Man from that same Body into which his Baptism had incorporated him.* And by a necessary Consequence from all Authority in its Communion, from which he is fallen, and his Schism has cut him off; and thereby must need reingrafting. And as this revolting Transgression obliges the Church to refuse him her Communion, does it not oblige God to reject him also, as a fallen Angel from his Church, (at least till he repents, and is restor'd?) As (without the Church's Sentence) *From the Apostleship Judas by Transgression fell, Acts 1. 25.* Whereby alone he lost his Right of being afterward reckon'd of the Number of the Twelve Apostles, so that another in his stead was: His great Sorrow for, and voluntary publick Acknowledgment of, his Sin, being not accepted by Christ. "Self-Excommunication, or spiritual Felony *de se*, doth involve the Church's Excommunication, deserving it, and preventing it. (Dr. Barrow, *Disc. concerning the Unity of the Church*, p. 47.) Where now lies the Difference of being cut off from the Church by a judicial Sentence (which it cannot do neither before a Crime has done it,) or by a voluntary Defection and Schism, that cancels all former Obligations and Ratifications of Covenants and

and Commissions in the Church, by departing from her Unity and Communion?

And for a further Confirmation hereof, he says,

C. p. 96. As to Communion, I have prov'd Schism to have been taken for a Communion with the Devil, by the Principles of the Primitive and Apostolical Church.

A. C. p. 96. "He could be no Member of Christ, who was a Member of the Devil. "Nor could he [on that account] pretend "to the Office of the most honourable Member, whilst he was unqualified for being a "ny Member at all, of our blessed Saviour's "mystical Body. Could one then, who was divided from the Body of Christ by Schism, and was thereby *a Member of the Devil*, become a Member of Christ again, and the most honourable Member too, without any Act of his own, or of the true Church, which may oblige Heaven to renew and ratify again that lost Membership to him, together with his former Authority in that Body?

C. p. 98. The Meaning of the Fathers, was, That in the Reception of the proselyted Meletians, Imposition of Hands should alone suffice, without a new [external Form of] Baptism, which notwithstanding was also judg'd requisite in the Reconciliation of the Samosatrenian Penitents, *Can. 19.* Thus the Meletians

tians were admitted on the same Terms as the Novatians, *Can. 8.* Not only to the same Sacerdotal Orders, but to the same Places wherein they had formerly officiated, provided those Places had not been before possess'd by Catholick Incumbents.

A. Were admitted! Well, this is all we contend for, that those who have been guilty of Schism, and thereby cut off from the Church, must be admitted by the Catholick Church, before they can again be Members of her Communion; and to *Sacerdotal Orders*, before they can have any legal real Power; and to *Places* (as the Meletians and Novatians were,) before they can have any Right to them. Nothing less than her Admission can legitimate the invalid Orders of such within her Jurisdiction. Some of their Places being *possess'd by Catholick Incumbents*, shews plainly the Church's Right to dispose of them, and consequently of those that were not possess'd by Catholick Incumbents, and that otherwise they could have no Right to them, but that the Right still remain'd in the Church.

C. p. 99, 101. This is perfectly agreeable to the Principles of the Fathers of that Age, who (whatever they thought of the Baptism of some Hereticks or Schismatics [as to the external Form only]) were notwithstanding unanimous in believing that all Dividers of the U-

nity

nity
they
had b
gustin
foeve
only

* Aliquis
Baptism
columb
bi aliq
ris enim
ris, in
Lib. 2.
aliud f
est, cu
correct
tateatu
dicimus
potesta
neritis
erat, u
venire
Sacram
tem non

Augusti
titudin
— S
Et ideo
fiam no
non utili
potestate
salutem
ly, with
Cyprian
peating

nity of the Spirit lost thereby all the Right they had formerly to the Spirit, whose Unity had been violated by them. This even St. *Augustine* and his Followers granted, how much soever they defended the Validity [not so, but only the external Form *] of the Baptisms of

* *August. in Evang. Johan. Tract. 6.* & potest fieri, ut aliquis habeat Baptismum præter Columbam: ut *prosit ei Baptismus*, præter columbam non potest — docet nos columba — ne putaras illud quod magnum est tibi aliquid prodesse posse si non fueris in Unitate. — *Foris* enim habebas Baptismum ad perniciem; *intus* si habueris, incipit prodesse ad salutem. *Contra Epist. Parmeniani, Lib. 2.* aliud est prorsus non habere, aliud perniciose habere, aliud salubriter habere, quicquid non habetur dandum est, cum opus est dari, quod vero perniciose habetur per correctionem depulsa perniciæ agendum est, ut salubriter habeatur. *Contra Crescon. Gramm. Lib. 2.* Ita vobis & nos dicimus, quem Baptismum vos ignorantes observatis, ejus potestatem vobis non annunciamus, non ut cum ad nos veneritis alterum accipiat, sed ut eum, qui jam apud vos erat, utiliter accipiat. *Contra Donatistas, Lib. 1.* Si postea venire ad Catholicam cogitat, quia certus est ibi prodesse Sacramentum, quod alibi accipi quidem potest, prodesse autem non potest. — In Ecclesia Baptismum recte accipi. — Non autem illic (apud Donatistas) recte accipi. *Augustin. de Bapt. contra Donatistas, Lib. 4.* Salutem beatitudinis extra eam neminem vel percipere, vel tenere. — Salus (inquit) extra Ecclesiam non est quis negat? Et ideo quæcunque ipsius Ecclesiæ habentur extra Ecclesiam non valent ad salutem, sed aliud est non habere, aliud non utiliter habere. *Whose inutilis; Prodesse non potest; non potestatem; neminem vel percipere, vel tenere; non valent ad salutem; perniciose habere; foris ad perniciem, &c.* are plainly, with respect to the intrinsic Validity, the same as St. *Cyprian's inanis*; how much soever they differ'd about repeating, or not repeating, the external Form.

heretical

heretical or schismatical Communion; [Since] They therefore all agreed that this Imposition of Hands, by the Bishops, was necessary for Converts from all opposite Communion, in order to their Recovery of the Spirit, which had been lost and forfeited by their Division. Without this, their Re-union must be judg'd imperfect, without that principal Unity of the Spirit. The Design of the *Nicene* Fathers, in this Treatment of the Meletians, was to let them understand that, tho' their Reception into the Church was, like that of other Penitents, by Imposition of Hands, yet that they might expect a Favour, which no other sort of Penitents could, by the Canons of the Church, pretend to, that the same Imposition of Hands should qualify them, [yes, we mean so] not only for the Communion of the Catholick Church, but also for continuing the same Offices in it, which they had before receiv'd [in Pretence only] in their Separation.

A. Here we may observe, 1st. That the Meletians were qualified for the Church's Reception by Repentance, they were *Penitents*. 2^{dly}, That they were *receiv'd into the Communion of the Church by Catholick Bishops*. 3^{dly}, That hereby they recover'd the Spirit, lost by being out of the Communion of the Church; to which none but the Catholick Bishops (who not involv'd in

in the Schism, had not *lost the Spirit*) could re-admit. 4thly, That this Re-admission by the Church (which had not *lost the Spirit*) was necessary for *the Recovery of the Spirit*, and consequently of all spiritual Authority. 5thly, That *the same Imposition of Hands qualified them for continuing the same Offices, &c.* Is it not hence plain, that they received their Qualification to those Offices by the Decree and this Imposition of Hands, for which they were not duly qualified before?

C. p. 102. So Pope *Innocent I.* understood it in the Case of *Bonofiaci*. He mentions a Synodical Decree of *Anysius* Archbishop of *Theſſalonica*, in the times of his Predecessors *Damasus* and *Siricius*, concerning the Clergy of those Hereticks, *ut quos Bonofus ordinaverat Ordinati reciperentur.*

A. *Ordinati, i. e.* with the external invalid Form of Ordination, which he decreed should not be reiterated. But certainly he did not mean they were compleatly ordained with the inherent valid Authority of Presbyters, till *reciperentur*, and allow'd it by the Church; and thereby only, invested with the latter, the legal authentick Power. However, 'tis plain they had it not within the Church's Communion, till they were received into her. Nor sure could they have it whilst out of her, unless the Church's Authority, as well as the Persons,

Persons, can be divided from her. If they had it, certainly where the Church's Power is, there must be the Church, and the Persons need no Reception by her. The Form of Words which she uses may be given out of the Church by a lapsing Bishop, but her Power cannot, nor be out of her.

The Form of Words verbally given by the Church, are incapable of being taken away, or of being lost, and therefore need not be repeated; but the Power itself is capable of either? and therefore must be renew'd. For he that loses the Catholick Communion, must lose all the internal Benefits of Grace and Power belonging to it, till they are restor'd together with it. So that tho' a schismatical or excommunicated Bishop may give the external Form which he has, yet he cannot give the internal Power which he has not; if he should presume to attempt it.

C. p. 102. This he [*Innocent I.*] observes to have been perfectly agreeable to the Mind of the Council of *Nice*, in the Case of the Novatians, *ut acceptâ manus Impositione, sic maneat in Clero, Can. 3.* exactly as in the Greek, μένειν ἐν τοῖς.

A. But then this Decree *ut sic maneat in Clero*, together with *Imposition of Hands*, was that alone, which gave them a Right to remain so, which they had not before: And had it

it not been so decreed, the Imposition of Hands had not received them as Priests (tho' they had receiv'd the external Form of Orders) but as *Penitents* only; " which would " have stopped all farther Progress to all Ecclesiastical Preferments, (p. 103.) By which it appears, that if they had had any Power, they forfeited and lost not only the present, but also all future, without a new Decree then made.

C. p. 103. [*Innocent*] plainly intimating, that the Imposition of Hands, here spoken of, gave them nothing new, but only continued what they had received before.

A. *Only continued what they had received!* To what purpose? If they had receiv'd Power before in the Schism, would it not have continued without any more ado? Wherefore *Innocent* could not intimate that; for tho' it was not a new Ordination, with respect to the external Form, yet it did give them the chief thing new, viz. the legal internal Power of Presbyters, which they had not before; and with respect to their assum'd Titles to their Places, it invested them with rightful Authority there; both which were now deriv'd to them from the Decree of Council by the readmitting Bishops. Which part of the Decree would otherwise have been vain and impertinent, if their Power and Titles were va-

L

lidly

lidly acquir'd before? tho' their empty Character, or the invalid Form of Ordination (abstracted from the legal internal Power) might be given and remain with them, like that of a Presbyter excommunicate or depriv'd. But according to Mr. D. the Imposition of Hands did something in relation to their Orders, *continued them*; that must be confirm'd them, ratified the external invalid Form.

C. p. 103. Nor does he the least scruple the lawfulness of receiving Orders given without the Church.

A. No! How then was it [the Admission or Ratification of their Orders] *a Favour*, *that it* [the Imposition of Hands] *did not make them incapable of Ordinations?* (p. 103.) The quite contrary, that *Innocent* did scruple it, is true; as will appear by and by, from his 108 page. Where the same Pope *Innocent* says; those that went over to *Bonofus*, and receiv'd Orders from him out of the Church, *Nihil à Bonoso acceperunt*; that is, nothing valid, no Power to exercise such Orders any way in the Catholick Communion. But *they* hoping to get those Orders in course receiv'd, upon their Return to the Church; "This had been, says *Innocent*, *non solum pœnitentiam non agere, verum etiam honore cumulari*. It had been an Encouragement to Apostacy, if they might have obtain'd, by their leaving the Church, those

“ those Honours which their Merits could never have procur'd them in it. This therefore *Innocent* forbids, and very reasonably, (p. 107.) i. e. that they should be allow'd, or own'd to have, those Honours; or that they could *lawfully receive them without the Church*. Nor did they themselves pretend to gain a Right in any Place in the Church, or to any more than the external Form of Orders from *Bonofus*, not to the internal valid Power of Orders from him, but only from the Church upon their Return to it.

C. p. 103, 104. He only pleads it to be a Favour, not universal, but revocable at Pleasure. And he proves it to have been so, because the same Favour was deny'd to the Paulianists, or Samosatzenians, *à quibus venientes etiam baptizari præcipiunt*, Can. 9. His Words plainly imply, that besides the Imposition of Hands, with which other Converts were receiv'd, these were also to receive a new Baptism; [i. e. a new external Form: whose wrong Form was not repeated, nor could be confirm'd, but was chang'd for the true.]

A. But had the Orders of the Meletian Clergy been valid, and they a Right to their pretended Places in the Church, from the schismatical Collation; would their Orders have been *revocable at pleasure* without Cause? *Its being a Favour* to ratify their external Form,

shews the Power to be wholly in the Church, and none in them. The Church's Ratification and Allowance of their otherwise invalid Orders, and also her Conveyance of Right to their Places, by confirming their pretended Titles to them, was the *Favour revocable at pleasure*, and in the Church's Power to deny them; which if she had, "Their being received as Publick Penitents would, by the Canons, have deprived them from ever officiating for the future in any holy Ministry, (*p. 100.*) So that tho' this Imposition of Hands was not with respect to the outward Form only, equivalent to Baptism; yet with respect to Incorporation, and the Benefits thereof, (it being added afterward to that outward Form given before,) it was judg'd to have the same effect as a wholly new formal Baptism. And tho' this Reception of pretended Clergy Men was not equivalent to Ordination as to the external Form only, yet with respect to the internal Power added to that, this with the Decree had also the same Effect, as a new formal Ordination.

We may here farther observe, that the Council judg'd there was some considerable Difference in Schisms, and in the Acts of Schismaticks, according as one Schism was more or less criminal than another, by reason of the Herefy in it. In the more criminal,

we

we see; they decreed that the outward Form of their Baptisms should be reiterated and amended by the true Form; judging them entirely null, and nothing at all deriv'd to the Baptiz'd, not so much as their external Form being perfect, and capable of being made good by Confirmation, that Rite of Admission to Communion also, and of confirming any pretended Power and Right in the Church. The Power of a Bishop or Presbyter may be more or less lost, according as his Schism and Heresy is greater or less, as well as it may be more or less taken from him. In a simple Schism, the Bishops Power is so far lost, that they cannot make another more than themselves are, *i. e.* no more than a Schismatick, out of the Communion of the Church; and consequently without any Right or Benefit in it by their Baptism, or Authority in it by their Ordination; tho' both may be given, upon Repentance, only upon the Church's Ratification of their invalid Acts. But in the Presbyterian Schism, if one of their Ministers ordain'd by them returns to the Church, and expects to remain a Minister thereof; all judge that he must be re-ordain'd with the external Form also by a Bishop, &c. For they never acquir'd it from any that had ever receiv'd so much as the external Form of a Commission, to give even the external Form of Orders.

ders: Some Clergymen have formerly been formally re-ordain'd, as well as some formally re-baptiz'd. So that in a particular Schism, whether the Converts must be formally rebaptiz'd, or the external Form of their Baptism only confirm'd; and whether the Bishops and Clergymen ordain'd in it, must be formally re-ordain'd, or only admitted by the Church's Ratification of their former invalid Form; is the business of a casuistical Synod to determine.

As for those that die in Schism, unbaptiz'd by the Church, *with the inward and spiritual Grace*, we think they, or their Parents, ought to have taken great care not to have done so.

C. p. 105. The Words of the [19th] *Nicene* Canon itself are sufficiently evident to this purpose, Εἰ δὲ τινες ἐν τῷ παρεληλυθότι χρόνῳ ἐν τῷ κλήρῳ ἐξηλάθησαν, εἰ μὲν ἀμνηπτοὶ καὶ ἀνεπίληπτοὶ φαίνεν, ἀναβαπτισθέντες χειροτονέωσαν ὑπὸ τοῦ τῆς καθολικῆς Ἐκκλησίας Ἐπισκόπου· εἰ δὲ ἡ ἀνάγκη ἀνεπίσημοις αὐτοῖς εὐρίσχοι, καθαιρεῖσθαι αὐτοὺς προσήκει. The χειροτονία here spoken of, goes before the ἀνάγκη, whether the Clergy Converts were worthy to keep the Places of which they had been possess'd among their old Brethren. It had been very preposterous for them first to have put them into a Place by their own Act, before they

they had examined whether they were fit for it.

A. Here, I perceive, he would infer, that this *χειροτονία* therefore did not put them, the Paulianists and Samosatzenians, into any Place, because they were not (as he insinuates) first examined. But does not *ἐξηλάθισαν* signify their having been examined whether they were worthy to keep their Places, which goes before *χειροτονείωσαν*, tho' *ἀναχειρίσας* does not? 'Tis plain by the former part of the Canon here quoted, that if, upon Examination, they appear'd to be faultless and unblameable, after Baptism they were to be receiv'd to Communion by Imposition of Hands, with a Confirmation of their pretended Orders, and then also thereby put into, and authoriz'd in, their former Places, *i. e.* *those that were not possess'd by Catholick Incumbents.* For could the Council think their Orders good, and not their Baptism without renewing it? The *χειροτονία* was a Confirmation not only of their new valid Baptism, but also (by vertue of the Decree) of their invalid Orders and pretended Titles; and thereby really a putting them into those Places which they had no Right to before. But Mr. D. seems to intimate, that this Imposition of Hands deriv'd no Right to their Places, but only admitted them to Communion, as their new valid Baptism only entred them into the Body;

(like an Apprentice first entred a Member of a City, and afterward made free of the Privileges thereof; yet so were they admitted to the Privileges both of Communion and of Parochial Priests;) and that therefore (according to him) their Right to their Places must proceed from their Orders given in Schism, as soon, at least, as a Reconciliation made way for it to take place; as if that Right to their Places could not be given but by and together with the external Form of Ordination. If he meant so, sure it must be a Mistake. For as Bishops are often chosen and invested with new district Right by the Consent and in the Name of the College of Bishops long after Consecration; as upon a Removal to a new District. And tho' a Bishop seems to be consecrated for a See, yet his Inthroning and Investiture with that particular See is always afterward. So the Institution and Induction of a Vicar, is always given after his Ordination; sometimes long after to a new Vicaridge. And tho' inducted by another Presbyter, yet 'tis not done by vertue of his Orders receiv'd at Ordination, but by the Licence and Authority only of the Bishop, contain'd in the Form of his Institution; just as a Bishop is inthron'd by the legal Authority of the whole College, distinct, and at some distance, from the Act of Consecration. But this Mistake, which
seems

seems to go through this Book, I hope has been sufficiently answer'd already; and that they could never come to have a legal Right from a schismatical and illegal Institution and Induction, but from the legal Authority only.

C. p. 105. It then follows that if, upon that Examination, they were not found fit, they were to be depriv'd, *καθαριεῖσθαι*. Certainly of the Honours they had received before their Conversion, not of those which were given by the Bishops who receiv'd them.

A. Yet this may naturally enough be understood of usurp'd pretended Honours, not legal real ones; or depriv'd of the Benefit of the Canon, as to its Ratification of their invalid Orders and assum'd Titles. But what if they were found fit, what says the Canon then? Why, nothing after *ἀνάγκη*; but does it say nothing before *ἀνάγκη*, after *ἐξήλαθον εἰ μὲν ἀμεμπτοὶ καὶ ἀνεπίληπτοὶ φανεῖν*? Yes, *ἀναβαπτιστέες χειροτονείδωσαν*, i. e. having been first formally baptiz'd, let them be confirm'd, *Κληροὶ* Priests, and thereby admitted such to Communion; not *καθαριεῖσθαι* made incapable of Ordinations, as the *ἀνεπίληπτοι* Unfit were: For *χειροτονία*, or Confirmation, is a Right of Admission to Communion, as well as Confirmation of Baptism; and in this case the admitting Bishops were

were also empower'd by the Decree to confirm, or refuse their invalid Orders, as they found them fit or unfit. How then came Mr. D. to say, the *xueploria* did not put them into any place, because they had not examined whether they were fit for it; when 'tis plain by the Canon, they had first examined them? If the *xueploria* did not put them into any Place, the Decree did, and not their schismatical invalid Orders; for they were admitted to Communion Parochial Priests by vertue of the Decree, when the Imposition of Hands was given them.

I confess, I cannot but wonder Mr. D. should so strive to take from the Authority and Power of the Church, and give it to those out of the Church; when 'tis certain none can have or retain any spiritual Authority or Power but the Church; much less derive any to others.

G. p. 108. Yet he [*Innocent I.*] supposes them to have receiv'd nothing from *Bonosus* of what he design'd to give them, and therefore that the Hereticks Act was utterly invalid. So those Words of his do plainly enough import, *Ad summam certè, qui nihil à Bonoso acceperunt, rei sunt usurpatæ dignitatis, qui consciendorum Sacramentorum sibi vendicaverunt Autoritatem, atque id se putaverunt esse, quod de his nulla fuerat Regulari ratione concessum.* He calls

it

it nothing. He makes it Usurpation to practise the [*nothing* of] Authority received from such an Ordination. He makes it wholly putative. [Is not this enough?] Yet he owns it in the Church's Power (if she thought fit) to allow them to practise that same [*nothing* of] Power after their Reception, which himself calls *Usurpation*, [and *nothing*]

A. Yes, when the Church had given them real Power by her Consent at their Reception; for it seems the *Practice* of Power, *i. e.* the very Power itself to act, was wholly owing to the Church's *Reception* and *Allowance* thereof; which was adding the internal valid Power to the external invalid Form, by obliging Heaven (on its Promise) to a Ratification of that Act of the true Promise. *Nihil à Bonoso acceperunt*, must be understood, I suppose, not of the external Form of Ordination simply consider'd, but that Orders given out of the Communion of the Church, gave no intrinsic Validity or Power at all, 'till the Church allow'd it them; which *Innocent* owns she might do, without repeating the external Form. And 2dly, by consequence it must be understood, that they could receive no particular Right to any Place in the Church; but that it remain'd to be given by the Catholick Church before they could have it. *Bonofus*, for want of Unity with the Episcopal College, could not represent

present them, nor perform any Act in their Name, nor derive their Authority to any one without their Consent, no one could do that without Unity with them, and they at least implicitly consenting to it: Therefore they receiv'd from him no Power, nor were thereby made Presbyters of the Church, till she confirm'd them as such, and authoriz'd them in her Cures by her Consent. " And for this " we have the then greatest Western Authority, that of the Western Patriarch himself " [Innocent I.] and of him only as an Interpreter of the greatest Authority of Christendom, next the Apostles, that of the first " and most universally receiv'd General Council, that of *Nice*, (p. 109, 110.) Whose Canons he, very probably, looked on as several of his Successors did, as unrepealable, p. 103.

C. p. 109. When notwithstanding there had been no other Imposition of Hands used in receiving them, than what was usual in receiving ordinary Laicks, who had not the least Pretensions to any Ecclesiastical Power properly so call'd.

A. Yet that admitting (to Communion by Imposition of Hands) those that were found fit to be Priests, by vertue of the Decree, confirm'd also their invalid Orders. Otherwise that *receiving them as ordinary Laicks*, had depriv'd

depriv'd them of ever being made Priests, and from ever officiating in any Holy Ministry, (p. 100.) And thus the unfit were to be receiv'd without Confirmation of their pretended Orders, or allowing they had any valid from their schismatical Ordination.

G. p. 109. This, I think, fully amounts to what I have endeavour'd to prove in this Discourse, That what was invalidly given in Schism, might gain a Validity which it wanted before, by the Church's Consent, (when the Person was capable of it, and the Impediments remov'd which before had hindred it) without a new Investiture.

A. He finding at last he could prove no more, he now says, *This (gain a Validity by the Church's Consent when the Person is capable of it) is what I have endeavour'd to prove in this Discourse.* Had this been all, we should have had no Occasion to answer him. But who sees not, that he endeavour'd to prove more, if he could have done it? One while saying the schismatical Investiture gives Right after the Depriv'd are dead; another while that invaded Possession alone does so, when there is no single Rival; hereby depriving the Church of her just Right. Of which being probably conscious, he here vouchsafes to resolve all into the Church's Consent to give Right; and

and at last makes a true, but forc'd Conclusion, from wrong Premises.

Power *invalidly given in Schism*, must, I think, be the same as Power not given in Schism. If so, it follows that the Power not given in Schism *might gain a Validity by the Church's Consent*, and that *without a new Investiture*. What, without a new Investiture with that *Validity*, some way or other, *which was wanting before*?

There would indeed be no need of a new Investiture, as to the external Formality, but I hope there would be need of a new one as to the Validity or real investing with the Church's Power, and her legal Authority; which must be wanting till she conveys it. Which then is more properly an Investiture, the outward Formality alone, or the legal Validity added to that by the Church's Consent? Is not her legal Consent then, to all Intents and Purposes, a new Investiture of real Episcopal Power and also of District Right?

I have reason to think he did not consider the necessary Distinction between the external Formality, and the legal valid Authority, in an Investiture: Nor in Baptism, between *the outward Form*, and *the inward and spiritual Grace*: Nor in Ordination, between the external Form, and the internal Power or Spirit of

of Government. As if one of those cannot be given without the other, as in Schism; or one added to the other, and given after it, as by the after Consent and Ratification of the Church. Yet the former avails nothing without the latter added to it.

And he that lapses into Schism, has no more than the external Form of either left him. Mr. D. owns he has *lost the Spirit*, (i. e. the Spirit of Grace given by Baptism and Confirmation, and the Spirit of Power by Consecration.) Nor can he again recover the inward and spiritual Grace, or the Spirit of Power and Government, till sensible of his Loss he returns to the true Catholick Church, and re-obtains her former Consent, and thereby regains the coelestial Ratification.

When the Person was capable of the Church's Consent: That must be by Repentance, and desiring the Church's just Authority. The very contrary to this, were still the *Impediments* (after Vacancy) which always hindred the Church's Consent. So that this, and this alone, can ever remove those Impediments; unless she will lose her Authority; and then what is she?

G. p. 110. And if this Reasoning [of gaining a Validity by the Church's Consent, upon a Return to the Church] held in Cases where Heresy was concern'd as well as Schism; it must

must proceed with more Force in ours, when we shall have nothing to plead for invalidating Acts already past but Schism alone.

A. That's enough, however, till there is a Return to the Church, and those *invalidating Acts* are ratified by the Church's Consent. But if we shall have nothing else to plead, why then has he so often charg'd them with Heresy also; and that to the last, as appears by his Letter to the Bishop of *Sarum* a little before his Death? *viz.* "I must deal plainly
" with you, that you may not interpret my
" Communion with you as an Argument that
" I do believe you, and some other of your
" Brethren, not guilty of the Charge of He-
" resy, &c.

C. p. 112. *Bede* mentions a time when there was not one Bishop in *England*, except *Wini*, who was not involv'd in the Contagion of schismatical Orders, either from the *Scots* or *Britains*. And he also was guilty of a Crime, which by later Canons would have disannull'd his own Orders, that is, *Simony*. That put them on a Project of deriving a better Title (as they thought) to Posterity, from *France*, or *Rome* itself.

A. Would *Simony*, by later Canons, have disannull'd Bishop *Wini's* own Orders, and will not Schism do so by the Canons? This Project of theirs however shews what they thought, that

that a Bishop lapsing into Schism, could not recover his former Authority, but from some Catholick Bishop, tho' a Foreigner. And, 2dly, that in such a Case, a foreign Bishop might supply the Vacancies; and that they ought to own him rather than their schismatical Bishops, before they return'd, and were reconcil'd, to the Catholick Communion. For when a Diocesan Bishop falls from the Catholick Communion by Heresy or Schism, the Subjects of that Communion must certainly be under the Care of Catholick Bishops of the same Communion, at home or abroad: If none at home, then under Foreigners; or else be forc'd, without any Fault of their own, to live in the Catholick Communion without a Principle of Unity. Which, I think, cannot well be, whilst there is any Catholick Bishop in the Church of Christ, and all the Members of the true Communion are one Society throughout the World. So that till the Diocesan returns into that Society and Communion, by a Reconciliation and Agreement with it, the Catholick Subjects must necessarily continue as they were, under the Patronage of Catholick Bishops at home or abroad. For certainly no Senator, that separates himself from his Senate into an opposite Society, can retain any Authority of the true Senate from which he divided himself; nor

M

confe-

consequently regain it, till, by re-uniting himself again to them, it is restor'd at least by their Consent.

C. p. 113. But without any Sollicitude for what had past formerly, before the Schism was ended.

A. How does that appear, since a better Title, free from Schism, (which they sought for) must have Power to set all right that had pass'd before in the Schism, by reforming some things, and ratifying others: which they knew a schismatical Bishop, who had lost his Authority, could not do.

C. p. 113. I know not one single Instance, in any tolerable Antiquity, wherein a foreign Assistance was desir'd for continuing a Succession, after a Devolution to a single Person, purely on account of the Invalidity of what had been transacted during the Schism.

A. There is no such thing as *Devolution to a single Person*, unless he is really appointed a Second by the Church; that is, before-hand appointed to succeed: Otherwise the See always devolves to the Church, to the unschismatical College of Bishops of the Province; every one of which has an equal Right and Authority over it, till by his Consent he quits it to one, as the Deputy-Governour in such District, for them all.

Foreign

Foreign Assistance desired! He knew very well that the Catholicks always accounted the Acts of Bishops in Schism to be *invalid*, and that before Reconciliation they never regarded the schismatical Incumbents, tho' alone in Possession; but the College often substituted a Catholick Bishop in the room of the deceased; (and when they did not, they still kept the Possession of the spiritual Authority, over the See, solely in their own Power.) And there was no need of desiring foreign Assistance, when they had Catholick Bishops in their own Country, that did it for them. Yet some of them have done it in foreign Countries, in the Sees of heretical and schismatical Bishops, as *St. Chrysostom, Athanasius, Eusebius, &c.* before-mentioned. And it is not likely that they always did it without being *desired*. And he owns that *Lucifer*, a Foreigner, substituted *Paulinus* into the See of *Antioch*, (p. 88, 92.) and certainly at the *Desire* of the *Eustathians* there. Could he, or can any one for him, produce one Instance from any tolerable Antiquity, where a schismatical Bishop was ever own'd by the Catholick Church, Before he renounc'd his Schism, and was reconcil'd to her Communion, and his Authority ratify'd or restor'd by the Consent of the rightful and legal Authority the unschismatical Bishops thereof?

C. p. ult. Besides the *Baroccian MS.* there is another Collection of *Photius* the Patriarch in MS. also, of several Examples, wherein such past Irregularities had been, in general, ratify'd after a Reconciliation.

A. That *past Irregularities have been rectified*, and the Defects supply'd by the Church's Authority often, *after Reconciliation*; who ever deny'd it? Here then in the Conclusion we are agreed. We desire nothing more than a Reconciliation, Unity and Unanimity, on the same Terms on which we were one formerly.

I sum up the whole Matter in this Conclusion; That a Diocesan Bishop lapsing into Schism, loses thereby the true Catholick Communion, and by consequence all Power in it, the whole Episcopal Power being contracted into a less Number of Bishops; (he is indeed depriv'd by the Law, tho' not formally sentenc'd;) which Communion he not only deserts himself, but the Catholick Church refusing him her Communion, by reason of his Guilt condemn'd by the Law, is one sort of Excommunication, (and like that of *St. Ambrose* to the Emperor *Theodosius*;) which Communion therefore the laps'd Diocesan can never regain without some Act of his own, and also of the true Church; of his own by returning,

turning, of the Church by receiving him, to her Communion; and into the Episcopal College too, to be again made Partaker of the Episcopal Power. But even then he cannot recover his former District Authority, unless the See be vacant; nor then, without the Consent of the Orthodox College. For the See, by reason of the Diocesan's Schism, being left vacant in that Communion, it was both their Right and Duty to fill it; or supply it themselves; which once becoming their Right, and actually in their Possession as to Spirituals, they could not again lose, till they divest themselves of it; or (to speak more properly) delegate one to act there for all; but the very Attempt to usurp it again from them without their Consent, would make the (before lapsing) Diocesan now become a principal Schismatick.

For Instance. I doubt not but it will be granted, that a Popish Bishop in *Ireland* (where they have regularly kept up that Succession in every Diocese) cannot have any Power at all in the true Communion, nor any Right over the Protestant Subjects in his See, or be their Principle of Unity, unless he will first return to that Communion. But, 2^{dly}, If he should do so, he would not, barely upon that, have any Power or Right over them, since he had none before; but the other Protestant Bi-

shop, in that See, would still have it; or if he was dead, it would return to the Orthodox College of Bishops from whence he receiv'd it, till they first confirm'd the others Orders by *deriving* the valid Power of the true Communion, (or *restoring it*, if he was a Lapsar.) and then gave that See to him. Which I thus prove:

The lapsing Popish Bishop, by his Heresy, breaks the Unity of the Orthodox Episcopal College, and by breaking Catholick Unity in deserting Catholick Doctrines, divides himself from them; by dividing from them, he makes a Schism, by his Schism he is out of the Communion of the Church, by being out of her Communion, so long he can have no Authority in it, by having no Authority in it, he must so far lose his Right to his See over the Subjects thereof, and thereby leave it vacant; being vacant, the Right (in Spirituals) devolves to the College of Protestant Catholick Bishops, who then rightly dispose of it to another for life. If the lapsing Popish Bishop recants his Errors, and offers to return from whence he fell, the Orthodox Episcopal College ought to re-admit him, not only to Communion, but also a Member of the College again, and to invest him with the first canonically vacant See; but they cannot restore him to his See again, before the Death

or

or Resignation of him to whom they justly gave it, without making a new Schism. But when that See is vacant by Death; as it became the Right of the Orthodox College before by forfeiture (else they could not fill it,) so upon that Vacancy it is theirs still; till they yield up that forfeiture to the Person that lost it, or invest another. Hence it is clear, that all schismatical Bishops forfeiting their Right to the Orthodox College, by falling from the Church's Communion, cannot recover their former Right, but from the unschismatical College, to whom it properly belongs ever since the Forfeiture, they being the true Rivals to all that lost it; so that till they restore it, whoever joins with the other, and forsakes them to whom alone the Altars thus belong, are guilty of Schism from the rightful Authority of the Church, how few soever those Orthodox Bishops are of the old Communion.

Mr. D. affirms, *Case in Fact*, §. 10. (and in his Letter to Bishop. *Still*. MS.) and elsewhere; "That our late Fathers [by reason of the "Schism] were possess'd of all the Rights of "the National Church of *England*, and might "have fill'd the Sees, &c. The Right of all the Sees then, according to Mr. D. being devolv'd to the College of depriv'd Bishops; if they had consecrated more Bishops, under

what Denomination soever, they would, by so doing, have taken them into the Episcopal College as Members thereof, and thereby made them Sharers in that Devolution. When therefore the deprived Fathers were all deceas'd, the Devolution must have rested in them alone that shared in it before with the other; and by consequence all the Sees remain'd their Right, till they fill'd them with new Investitures, or restor'd that Right (devolv'd to them) to the old Incumbents, upon their Return to their old Communion. For their Right, as to Spirituals, (according to Mr. D.) being thus devolv'd, it could not be reassum'd, but by some Conveyance from them to whom it was devolv'd, and in actual Possession as to Spirituals. 'Tis easy then to say, who would, in such a Case, have been the true and only Principles of Unity, as Proprietaries of all the Sees in Spirituals, as well as Heads of the true Communion: From whom, by consequence, whoever should have divided, must have been in Schism from the true Altars, and thereby been destitute of Communion with the archetypal Church.

Now that the spiritual Right of a Bishop, fallen from the Church's Communion by Schism and Heresie, does devolve to the Orthodox College of Bishops, is plain; for otherwise

wise they could not fill his See; and if Catholick Bishops, in such a Case, cannot fill his See, at least over the Catholick Subjects (without any other Excommunication or Deprivation, but that of his own Act against the Law, and their Refusing him thereupon their Communion) the Protestant Bishops in Ireland must be all Schismaticks; and so must all Men from the Reformation hitherto, that have own'd their Communion.

But if the Catholick Bishops can fill the Sees of Schismatical Possessors with Catholick Bishops, then the Right must be in them to do it; and when they do not so fill them, 'tis plain that Right must continue in them till they do do it: When therefore, in such a Case, they fill them with none but themselves jointly, and keep the Possession of the Spirituals in their own Hands, waiting the Lapsers Repentance and Return to the Catholick Unity and Communion, in order to receive them thereupon, and to renew their Titles in the Church; sure this could be no faulty neglect not otherwise to fill their Sees, but a Token of their Kindness and desire of Reconciliation with them, so soon as the Invaders, by rendring to the Church her just Rights, would yield to it, tho' they had left Catholick Bishops of their Communion in their College to make the Reconciliation and Restoration of the Lapsers

when

when they justly could, and to preserve the valid Episcopal Succession in the true Catholick Communion, till they could reconcile and restore the other to it: Till then, such Sees must still rightly belong to the Catholick Bishops or College (not involv'd in the Schism) as much as they would have done to those *they might have invested with them*: As an Estate belongs to a Landlord when fallen to him, no less than to a Tenant when he lets it to him on Conditions,

which they justly could, and to preserve the
 valid Episcopal Succession in the true Catho-
 lick Communion, till they could reconcile
 and restore the same to the true Catho-
 lick Communion (not involv'd in the Schism)
 as much as they would have done to those
 who have been excommunicated. As an E-
 state belongs to a Landlord when fallen to him,
 so does the same to a Tenant when he lets it to

APPENDIX.

SHEWING,

First, *In whose Power alone it ever was, to heal a Schism when made, and what was absolutely necessary to be done by them in order to it.*

Secondly, *That Possession of the Episcopal Throne (tho' no other single Person claim'd a Right) was not always Possession of the Spirituals, nor gave the Possessor any Right to the Subjects Obedience in Spirituals, without the legal Consent of the Catholick College of Bishops, and also continued Unity with them.*

Thirdly, *That a Chorepiscopus (some of which had Episcopal Orders,) or a Suffragan Bishop which we read of in the Reign of Hen. VIII. &c. did not act purely by the Authority of his Diocesan, but by the Authority of the whole College*

College of Bishops; and that the Power of being in a Principle of Unity was deriv'd to him by Consecration; and moreover that he really was so to those of his Suffragan See. And that after the Diocesan's Death, when the District devolv'd to the College of Bishops, he had an equal Right to act in his Suffragan See under them, as he had before, it being committed to his Care by them as well as by the Diocesan; as a Cure to a Curate by the Bishop as well as by the Vicar.

First then, In whose Power alone it ever was to heal a Schism when made, and what was absolutely necessary to be done by them in order to it.

Wherever a Schism was made from the true Communion, by invading the Church's Rights, deserting her fundamental Doctrines, or by Pollution in her Worship; there it was in the Power of none to heal it but of those who left the true Communion by returning to it, recovering the Church's just Rights, maintaining her Doctrines, and restoring the Purity of her Worship. In such a Case, not only the personal Rights of some Bishops, but the Catholick Doctrines, and the Purity of Worship, were concern'd; which all Bishops are bound by their *Depos- tum* to defend and maintain; and also the funda-

fundamental Rights of the whole Church (by which each singly acted) were included in those of the Bishops; which they could not give up. And tho' no Man is obliged to give up his own Rights allow'd him by God, yet I presume there never were any Catholick Bishops but would have resign'd their own personal Rights to close a Schism, if the Rights of the Church had not been included, and sometimes the Catholick Doctrines and Purity of Worship concern'd; but since, in such a Case, they are included; by resigning their own, they would have resign'd hers also, and thereby involv'd themselves in the Schism, instead of closing it; and by Contagion become Partakers with *those* that depriv'd the Church of her Rights, and openly oppos'd (at least in Practice) her fundamental Doctrines and pure Worship, *who* thereby would of Necessity still continue in Schism from her. And if all the Heads of a National Church should do so, and the Members joyn them in Communion, they could be no longer a true Church in Communion with the archetypal; which to be sure will not partake of such Guilt by Communion with any tainted therewith. Nor (after the Depriv'd were dead) durst any Catholick Bishops admit known impenitent Schismaticks to their Communion, any more than they durst

durst leave their own, to join theirs; lest they thereby became Partakers of their Sins. Nor consequently durst the Catholick Subjects leave the Communion of the Catholick Bishops to join them, till upon Repentance they were admitted to it.

2^{dly}, That Possession of the Episcopal Throne (tho' no other single Person claim'd a Right) was not always Possession of the Spirituals, nor gave the Possessor any Right to the Subjects Obedience in Spirituals, without the legal Consent of the Catholick College of Bishops, and also continued Unity with them.

In the Donatist and Novatian Schisms, &c. or in the Arian Heresy, &c. the Possession of the Episcopal Throne was never allow'd by the Catholicks to be Possession of the Spirituals, nor to give the Possessor any Right to the Subjects Obedience in Spirituals, till he had, and so long only as he justly had, the legal Consent of the Catholick Orthodox College of Bishops; who alone have Power to give and continue Possession therein. Yet if Possession of the Episcopal Throne was Possession of the Spirituals also, this Proposition cannot hold universally true. $\angle$ For suppose all the Bishops in *England*, in King *James's* Reign, had turn'd *Roman Catholicks*, would their Possession have continu'd their Right over the Protestant Subjects, and must they still

still have been their Principle of Unity? tho' they had not condemn'd themselves by a judicial Sentence, or no foreign Council done it?

D. No; there would have been Heresy in that Case, which would have hindered their continuing so; for it would have hinder'd the continued Consent of the Orthodox Episcopacy or Catholick College of Bishops, which would have left 'em without the Continuance of Authority from them the Fountain thereof.

A. Then you see this Proposition is not universally true, as you own in the Case of Heresy. Suppose any Bishops should become guilty of Resistance; which being particularly forbidden by God, and particularly threatened by him with Damnation, if persisted in; does it not from thence appear to be as great a Heresy as any; at least equal to those Heresies and Crimes of Life, for which, when notorious, the 31st Apostolical Canon, and the 15th of *Constantinople*, (in Defect of a judicial Sentence) encourage Subjects to leave the Communion of their Bishops? without which, a voluntary continuing in their Communion must involve them in the Contagion and Guilt of those Sins. Which, by the by, shews how reasonable, just and necessary, those Canons are. And, I presume, the second Canon of our Church, made in the first Year of the
Reign

Reign of King *James I.* does, in such a Case, encourage the same; wherein, I suppose, the *ipso facto* Excommunication does at least discharge the Subjects from such Bishops, if they will not be involv'd in their Crime and Excommunication.

2dly, A Bishop that left the true Communion by Heresy or Schism, cut himself off from it, and was a *Felo de se* with respect to that Communion. And as a Person justly excommunicated could never become a Member again, much less a Governour, in the true Communion, till his Excommunication was taken off, and he again restor'd to it, and to his former Privileges in it, by some Catholick Bishop with the Consent of all. So one that had cut himself off, and was thereupon refused Communion by his Catholick Collegues, could not be ingrafted and restor'd to the true Communion, but by the Conveyance thereof from the Catholick Bishops that fell not from it, (as a fallen Branch cannot, but by the Juice of the living Vine,) whilst there was any Catholick Bishop to do it; since both were equally (according to Mr. D.) *in Communion with the Devil*; nay, the Schismatick voluntarily so. So that without his own Repentance, and the absolving Power of Christ, duly applied by his faithful Ambassadors, we cannot suppose him completely recover'd

ver'd out of *the Communion of the Devil*, and restor'd again to that of Christ, any more than an excommunicate Person without Absolution. How fatal then must it have been to join with such an one in Communion, before his Reconciliation to the true Communion? Which the Primitive Catholicks never did.

3dly, That a *Chorepiscopus* (some of which had Episcopal Orders,) or a Suffragan Bishop heretofore, which we read of in the Reign of *Hen. VIII. &c.* did not act purely by the Authority of his Diocesan, but by the Authority of the whole College of Bishops; and that the Power of being a Principle of Unity was deriv'd to him by Consecration; and moreover that he really was so to those of his Suffragan See. And that after the Diocesan's Death, when the District devolv'd to the College of Bishops, he had an equal Right to act in his Suffragan See under them, as he had before, it being committed to his Care by them as well as by the Diocesan; as a Cure to a Curate by the Bishop as well as by the Vicar.

A *Chorepiscopus*, or a Suffragan Bishop heretofore, which we read of in the Reign of *Hen. VIII. &c.* did not act purely by the Authority of the Diocesan in his Suffragan See, but by the Authority of the whole College

lege of Bishops, which was legally deriv'd to him by those that elected, consecrated, and invested him by an authentick and legal Instrument in the Name of all, (besides their making him a Member of the Episcopal College by their Consecration of him consented to by all;) which Authority therefore he could not lose or be depriv'd of, unless the Catholick College took it again from him, and that justly upon his own Default; or he lost it himself in departing from the true Communion by Heresy or Schism; no more than a Vicar or Rector lost his Right over his Parishioners upon the decease of his Diocesan, or ceased to have a Right to officiate or act as a Priest after his Death. So that so long as there was any such Orthodox Catholick Bishop in the Universal Church, *how narrow soever his District, or mean soever his Character was, if truly Episcopal,* as Mr. D. speaks, (*C. in E. Ap. p. 42.*) those of the true Communion could not be without a visible Head and Principle of Unity; the universal Church or true Communion being but one Body under one and the same Orthodox Episcopacy. But if all the Diocesans should have left the true Communion by Schism or Heresy, *I take the Case of all that should have adher'd to them, before Reconciliation, infallibly to be, that they also must have been out of the true Communion;*
than

than which no Case could have been worse, nor any other so bad.

2dly, A Suffragan Bishop's Power was not limited by the Diocesan's, so as that he could not act duly in his Suffragan See, but *durante beneplacito* of the Diocesan; for then it would have been less and more precarious than that of a Vicar, which cannot be suppos'd. But if it was limited by his, as to the rest of his Diocese, (as the Power of other Diocesans was limited by it in his Sphere;) yet after his Death, it could be no longer so limited; but (on Supposition he was not appointed to succeed the Diocesan) the Suffragan Bishop shared with his Colleagues in the whole Vacancy; and so long as the Diocesan's See was vacant, he had a Right to exercise his Episcopal Power in the whole Diocese, as much as, if not more than any other Diocesan, he being before appointed a Co-adjutor in that Diocese by the College, and that Right now, without Limitation there, must continue in him till the Catholick College (of which he was one) constituted a new Diocesan. And as the actual Exercise of his Episcopal Power, in the Diocesan's vacant See, was a Possession thereof for that time; why, according to Mr. D. might I not have said, his Possession gave him the whole Right, no one else laying Claim to that See?

N 2

D. But

D. But there the whole College of Bishops claim'd a Right, of which they could no way be depriv'd without Schism from the Church.

A. That's right; and if all the College, except the Suffragan Bishop, had been guilty of such Schism by Communion with an Invader of the Church's Right, or they by Heresy had fallen from the Union, and thereby from the Communion of the Church; most certainly the Suffragan Bishop alone would have been truly the whole College, and have had the sole Right over all the Church; as such an Orthodox Suffragan Bishop would now have in *France* or *Spain* over all the Protestant Catholick Subjects in such Nation: Or as such an one (if there had been such an one here in *K. James's* Reign) would have had in *England*, if all the Diocesans had turn'd Roman Catholics, or by any other heretical Practice had deserted the true Communion. So that if the Catholick Subjects had had no Bishop in the Church of their own Communion but such a one, they could not be said to have been without an authoriz'd Head, and true Orthodox Catholick Principle of Unity, (as much, at least, as an uncanonically depriv'd Bishop could have been to those out of his own Diocese,) who only therefore, in such a Case, would have been in Communion with the Church above, and who alone could have de-
riv'd

riv'd the archetypal Union to the Subjects, and
 united them to the archetypal Church;
 while schismatical or heretical Bishops could
 not have been united to it themselves, nor
 consequently their Adherents. For that pure
 Church certainly will not endure Union and
 Communion with Heresy or Schism, or Pol-
 lution in Worship. But if, in such a Case,
 a Bishop, under the Title of Suffragan, had
 been appointed by the Consent of the Ca-
 tholick College, to succeed the last Orthodox
 Diocesan in the Extent of his Jurisdiction,
 (as certainly must have been so, if no Ortho-
 dox Diocesan had been left,) immediately up-
 on the Diocesan's Death, he would have
 rightly succeeded into the full Power the
 Diocesan had before, as truly as the fore-ap-
 pointed Successor of *Austin* became Archbishop
 of *Canterbury* immediately upon his Decease.
 I said, *if he had been appointed to succeed by*
the Consent of the Catholick College. For no
 Diocesan has, for his particular District Au-
 thority, any more than their Consent given
 in their Name at his Investiture.

3dly, I assert in the first Place, That the
 Power of being a Principle of Unity, was as
 much deriv'd to such Suffragan Bishop, as to
 any Diocesan over those out of his own Dio-
 cese: Therefore how could any uncanonically
 depriv'd Bishop be a Principle of Unity to
 those

those out of his own District, if he could not?
 2dly, The very Consecration makes any Bishop
 a Principle of Unity to those whose Sees are
 vacant, as it makes him a Member of the E-
 piscopal College; which being but one, is
 the Principle of Unity to the whole Church,
 and each in that Unity equally so to every
 vacant See. And his very Consecration en-
 dued him with Power to become a properly
 local Principle of Unity to a larger Diocese,
 or any Flock, as soon as appointed thereto by
 the Catholick College, or the time commenc'd
 for which he was appointed. Nay, 3dly, He
 really was so already to those of his Suffra-
 gan See, (tho' in some Cases subordinate to
 the Diocesan,) as much as a Diocesan is so,
 under the Archbishop, or under the Episco-
 pal College jointly. Tho' one Bishop may be
 over others as to the Order of Government,
 yet all Bishops are equal with respect to their
 Consecration; as Mr. D. owns (*Case in Fact.*
Append. p. 41.) and may plainly be seen by
 the same Consecration for all sorts of Bishops.
 And it would be therefore impertinent to
 suppose one Bishop to be a Principle of Uni-
 ty to another, when the whole Episcopacy is
 but one, and every one shares in the whole.
 Every Catholick Bishop then, of what Deno-
 mination soever, as he is one of the Episco-
 pal College, must with his Colleagues be a Prin-
 ciple

ciple of Unity next to, and immediately under Christ, at least to himself. And Mr. D. affirms (*C. in. F. Ap. p. 42.*) that such a one (if there had been such an one) might, without Appointment, have truly become so to a whole National Church, in Case there had been no other Bishop left in the Kingdom: I add, or no other of the true Communion; especially if he was consecrated to that End; as the new Scotch Bishops still were, before the Kingdom was divided into Dioceses, when the whole Nation for eight hundred Years was but one See, (as Bishop *Spotwood* relates near the beginning of his History.) They then made their own Successors, or rather Co-adjutors succeeding them; and with no other Title but *Episcopi Scotorum*.

Nay, more than so, after the Settlement of Dioceses, the Suffragan Bishop was consecrated to a particular See, tho' a small one, allotted him out of another See; as you may see in the 14th Statute of the 26th of *Hen. 8.* where the King was "to nominate and present to the College of Bishops the Person, "to be consecrated, by the Archbishop and "two other Bishops, to the Bishoprick or See "of Bishop Suffragan. And the Bishops of "such Sees shall be call'd Suffragans of this "Realm. And every Bishop may and shall "give such Commission or Commissions under "his

" his Seal to the Suffragan Bishop in his Dio-
 " cese, as hath been accustomed for Suffra-
 " gans heretofore to have, &c. And the Suf-
 " fragan Bishop shall be accepted in all Places
 " according to the Dignity he shall be so pre-
 " sented unto, and have such Power and Au-
 " thority in the Execution of such Commis-
 " sion, as to Suffragans of this Realm hath
 " been accustomed.

And being thus nominated by the King,
 consecrated by the Episcopal College, and
 commission'd by the Diocesan under his Seal,
 he had as truly a Right to his Suffragan See
 (according to the Extent of his Commission)
 as the Diocesan had to his, and that from the
 same Authority. The tenth Canon of the
 Council of *Antioch* says, " It pleased the Holy
 " Council, that they who are in Villages or
 " Countries, or they who are called *Chorepif-*
 " *copi*, although they have receiv'd Imposition
 " of Hands from Bishops, should yet know
 " their own Bounds, and govern the Churches
 " put under them, and content themselves
 " with the Government and Care of them, &c.
i. e. without encroaching on any Diocesan's
 Right. But you see the Council allow'd
 them to have a Right to *govern the Churches*
put under them, and to have *the Government*
and Care of them. So that a Deprivation there-
 of by Lay Authority (whilst they were in U-
 nity

nity with the Catholick Episcopal College) would have invaded the Rights of the College in them, (as well as their own personal Rights) and thereby would truly have made a Schism from the Church, and involv'd all in it that should have communicated with the Invaders. But you will say, the Suffragan Bishop was no longer the Diocesan's Suffragan, than during the time limited by the Commission given by the Diocesan. I grant it; yet he was a Catholick Bishop still, and a Member of the Episcopal College, as much as any. Nor is a Diocesan Bishop any longer the Episcopal College's Diocesan than during the Time, and Performance of the Conditions too, on which the College deputed him, particularly Catholick Unity with them. Otherwise his See becomes vacant, and lapses to them, or else they could not justly reassume it, or any other way depose him. If you say, the Diocesan could give the Suffragan a Commission, by the Consent of the College, for no longer time than during his own Life. I answer, I presume it must be a Mistake; for how then could he give a Commission to a Vicar during the Vicar's Life, although he should outlive him, &c. However I conclude, as the Suffragan was a Bishop at large, equal to one of the Apostles being only such, in the Unity of the Episcopal College, he had a just Share

Share in the Right and Government of all Vacancies that happen by Death, Schism, or Heresy, by Popish superstitious Worship, or any other practical Desertion of the Catholick Unity and Communion: So that the disowning such Right in him, in such a Case, must have been schismatical. For he is indispensibly bound by his *Depositum*, as much as any Diocesan is, to defend and maintain the Unity of the Faith, and the Purity of Worship, by a Separation from the contrary: And likewise all Subjects are bound in Duty (as their chief Duty) to preserve Catholick Unity and Purity of Worship from being lost, and no where found, in publick, in a National Church.

6 AP 58

F I N I S.

BOOKS lately Printed.

A Conference between *Gerontius* and *Junius*; in which *Mr. Dodwell's Case* in View now in Fact is consider'd.

Some short Reflections upon *Mr. Bradbury's* late Libel, entitled, *The As and the Serpent*; wherein is shewn, The great Weakness of his Shuffling Plea, for the Resistance of the Higher Powers. Published for the better Instruction of his Dissenting Congregation.

Antidotum Sarisburiense: Or, a free Expostulation with the Bishop of *Sarum*, (suited to the present Time) on some Passages in his Lordship's Preface, prefixed to the last Edition of his Pastoral Care. By a High-Church-Man.

A just Vindication of the Bp. of *W——r.* Or the New Proofs of the Pretender's being truly *James* the Third, proved to be *Old No Proofs*; and the Author (who pretends to have his Information from the Bp. of *W——r.*) prov'd

BOOKS lately Printed.

prov'd to be an Impostor, and truly *Fuller* the *Third*.

The Constitution, Laws and Government, of *England*, vindicated: In a Letter to the Reverend Mr. *William Higden*: On Account of his *View of the English Constitution, with respect to the Sovereign Authority of the Prince, &c. In Vindication of the Lawfulness of Taking the Oaths, &c.* By a Natural Born Subject.

Remarks on Mr. *Higden's Utopian Constitution*; or an Answer to his Unanswerable Book. By an English Man. With an Appendix.

6 AP 58